

By Mr. OLNEY: Petition of postal employees of Massachusetts, asking increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. RAKER: Memorial of Sacramento (Cal.) branch of the Railway Mail Association, favoring adequate plan of civil-service retirement; to the Committee on Reform in the Civil Service.

By Mr. RAINEY: Petition of Bible School, 4,317 people, of First Christian Church, of Decatur, and County Woman's Christian Temperance Union, 100 people, of Decatur, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ROWLAND: Petition of 40 people of East Smethport, Pa., for national prohibition; to the Committee on the Judiciary.

Also, memorials of Local Union No. 3080, United Mine Workers of America, of Hyde; Local Union No. 2484, United Mine Workers of America, of Easton; and Local Union No. 1134, United Mine Workers of America, of Grass Flat, all in the State of Pennsylvania, favoring embargo on certain foodstuffs; to the Committee on Interstate and Foreign Commerce.

Also, petition of post-office employees of Pennsylvania, relative to increase in pay; to the Committee on the Post Office and Post Roads.

Also, memorial of citizens of Bellefonte, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. RUSSELL of Ohio: Petition of J. W. Robbins and other post-office employees, of Troy, Ohio, for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. SIMS: Petition of sundry postal employees asking for increase in their salaries; to the Committee on the Post Office and Post Roads.

By Mr. SLOAN: Petition of Joseph R. Peters and nine other post-office employees for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Idaho: Papers to accompany House bill granting an increase of pension to George H. Richardson; to the Committee on Invalid Pensions.

By Mr. SMITH of Texas: Petition of 200 people of Loraine, Tex., for national prohibition; to the Committee on the Judiciary.

By Mr. SNELL: Petition of employees of the Post Office Department at Saranac Lake, N. Y., urging that the salaries of all postal employees be increased during the present session of Congress; to the Committee on Appropriations.

Also, petition of employees of the Post Office Department at Plattsburg, N. Y., urging that all employees of the Postal Service be given an increase of salary during the present session of Congress; to the Committee on Appropriations.

By Mr. STEELE of Iowa: Petitions of city and rural mail carriers and railway post office clerks of Lemars, Storm Lake, and Spencer, all in the State of Iowa, asking for an increase in their salaries proportionate to the increase in the cost of living; to the Committee on the Post Office and Post Roads.

By Mr. STEPHENS of Texas: Petition of F. McHarm and other mail-route clerks asking that Congress grant them an increase in pay; to the Committee on the Post Office and Post Roads.

Also, petition of Federal Employees' Union of Texas, requesting an increased salary as provided in the Nolan bill, House bill 11876; to the Committee on Labor.

By Mr. SWEET: Petitions of employees of post offices in Hampton, Waterloo, Iowa Falls, and Waverly, all in the State of Iowa, for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. VARE: Petition of several Government employees in the city of Philadelphia, in favor of the Nolan bill; to the Committee on Labor.

Also, memorial of Western Pennsylvania Typographical Unions, relative to shortage in white paper; to the Committee on Rules.

By Mr. WARD: Petition of post-office employees of Kingston, N. Y., asking an increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. WASON: Petition of C. I. Woodbury and nine other postal employees residing at Nashua, N. H., favoring an increase of salary for postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of H. H. Kew and six other postal employees at Hanover, N. H., favoring an increase in salary for postal employees; to the Committee on the Post Office and Post Roads.

By Mr. WINSLOW: Petition of citizens of Worcester, Mass., relative to eight-hour law for maintenance-of-way employees of railroads; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, December 15, 1916.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee at the beginning of this legislative day to know Thy will. We are being brought face to face every day with great issues which affect the moral and physical welfare of millions of our fellow men. The limitations of our knowledge and experience lead us back to the Source of all knowledge and of all wisdom. We come to Thee lifting up our hearts that we may know God's will. We seek to give expression to the highest achievements of the intellect and of the spirit of man in our national life. We pray that in our endeavor we may have the guidance of the spirit of God and of Thy truth. We ask these things for Jesus' sake. Amen.

The Journal of the proceedings of the legislative day of Wednesday, December 13, 1916, was read and approved.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Presbytery of Washington City, which will be printed in the RECORD.

The communication was ordered to lie on the table and to be printed in the RECORD, as follows:

THE PRESBYTERY OF WASHINGTON CITY,
OFFICE OF THE STATED CLERK,
Takoma Park, D. C., December 14, 1916.

To the Hon. THOMAS R. MARSHALL,
President of the Senate of the United States of America.

DEAR MR. VICE PRESIDENT: The Presbytery of Washington City, in session in the city of Washington December 11, 1916, adopted the following resolution, which is hereby submitted for official notice.

Respectfully, yours,

THOMAS C. CLARK,
Stated Clerk.

Action of the Presbytery of Washington City in session in the city of Washington, D. C., December 11, 1916, to wit:

"The Presbytery of Washington City hereby records itself in favor of the passage of the Webb-Sheppard bill now pending before the Senate without the referendum proposed by Senator UNDERWOOD."

Attest:

THOMAS C. CLARK,
Stated Clerk, Presbytery of Washington City.

Mr. NORRIS presented a memorial adopted by the Seventh-day Adventist Conference, held at Hastings, Nebr., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. ROBINSON presented a petition of sundry citizens of Little Rock, Ark., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the General Association of Baptist Churches at Sheridan, Ark., remonstrating against the action of the military authorities on the Mexican border in regard to evangelical work among the soldiers, which was referred to the Committee on Military Affairs.

He also presented sundry papers to accompany the bill (S. 7289) granting an increase of pension to Frank Burrow, which were referred to the Committee on Pensions.

Mr. McCUMBER. I present a petition of postal clerks and other employees in the post office at Fargo, N. Dak., asking for a raise in their wages. I ask that it may be properly referred after reading just the petition part. I do not know to what particular committee it ought to go, but I suppose to the Committee on Post Offices and Post Roads.

There being no objection, the petition was read and referred to the Committee on Post Offices and Post Roads, as follows:

To the Members of the Sixty-fourth Congress, Washington, D. C.:

In view of the greatly increased cost of living within the past year, and also in view of the fact that practically all private corporations have assisted their employees in bearing this additional burden placed upon them by a substantial increase in their pay—

We, the railway mail clerks, post-office clerks, letter carriers, and rural-delivery carriers of the United States, feel that we should have some relief from this burden, therefore petition your honorable body to grant us such an increase in pay as will in some manner help us in this emergency.

We ask that you give this petition your earnest and careful consideration, and trust to your sense of fairness and right to deal justly by us.

Respectfully submitted.

EDWARD G. SWANSON
(And others).

Mr. KENYON presented petitions of sundry citizens of Clearfield and Tabor, in the State of Iowa, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Chariton, Cedar Falls, and Iowa City, all in the State of Iowa, praying

for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

Mr. THOMPSON presented memorials of the Mitchell Grain & Supply Co., of Mitchell, and of the Farmers' Grain & Mercantile Co., of Gorham, in the State of Kansas, remonstrating against the placing of an embargo on food products, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Woman's Board of Missions of the Interior of the Congregational Church of the State of Kansas, praying for the enactment of legislation to prohibit the exportation of intoxicating liquor, which was referred to the Committee on Foreign Relations.

AMERICAN PRISON REFORM.

Mr. SMITH of Georgia. Mr. President, I desire to have placed in the Record a resolution passed by the American Prison Association. At the meeting of the American Prison Association held in Buffalo October 7 to 12 of the present year the following resolution was adopted:

Resolved, That, in the judgment of the American Prison Association, a step forward would be taken if the administration of the Federal prisons and the Federal parole system of the United States was placed in charge of a nonpartisan board appointed by, and responsible solely to, the President.

I believe, Mr. President, there are serious objections to our present parole system. I present this resolution from the National Prison Association, and trust it may receive some thought from the Senate.

The VICE PRESIDENT. The resolution will be referred to the Committee on the Judiciary.

DELAWARE RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (S. 7095) extending the time for completion of the bridge across the Delaware River, authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912, and I submit a report (No. 876) thereon. I ask for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Maine:

A bill (S. 7351) granting an increase of pension to Ripley C. Whitcomb (with accompanying papers);

A bill (S. 7352) granting an increase of pension to George M. Kelley (with accompanying papers);

A bill (S. 7353) granting a pension to Ida E. Morrill (with accompanying papers);

A bill (S. 7354) granting an increase of pension to Ida J. Gray (with accompanying papers);

A bill (S. 7355) granting an increase of pension to Edward T. Jackson (with accompanying papers);

A bill (S. 7356) granting an increase of pension to Alfred D. Rand (with accompanying papers);

A bill (S. 7357) granting an increase of pension to Elisha W. Ellis (with accompanying papers); and

A bill (S. 7358) granting an increase of pension to David Russell (with accompanying papers); to the Committee on Pensions.

By Mr. SAULSBURY:

A bill (S. 7359) authorizing the Delaware Railroad Co. to construct, maintain, and operate a bridge across the Nanticoke River at Seaford, Sussex County, Del.; to the Committee on Commerce.

By Mr. POMERENE:

A bill (S. 7360) providing for the purchase of a site for the purpose of erecting a Federal building thereon in the city of Troy, county of Miami, State of Ohio, and appropriating the money therefor; to the Committee on Public Buildings and Grounds.

A bill (S. 7361) to amend section 21 of "An act relating to bills of lading in interstate and foreign commerce," approved August 29, 1916; to the Committee on Interstate Commerce.

By Mr. GALLINGER:

A bill (S. 7362) granting an increase of pension to John C. Emery (with accompanying papers); to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 7363) granting an increase of pension to Jane Smith (with accompanying papers); to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 7364) providing for the construction of bridges and culverts or roads under reclamation projects; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. KENYON:

A bill (S. 7365) for the relief of Jonathan D. Long; to the Committee on Military Affairs.

A bill (S. 7366) granting an increase of pension to Hiram H. Titterton (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 7367) to authorize the construction and maintenance of a bridge across the St. Francis River at or near intersections of sections 13, 14, 23, and 24, township 15 north, range 6 east, in Craighead County, Ark.; to the Committee on Commerce.

By Mr. LIPPITT:

A bill (S. 7368) granting an increase of pension to Margaret Kearney; to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 7369) granting an increase of pension to Josiah Woodbury (with accompanying papers); to the Committee on Pensions.

By Mr. SWANSON:

A bill (S. 7370) for promotion of Edward Lloyd, major, United States Army, retired, to position and rank of lieutenant colonel, United States Army, retired; to the Committee on Military Affairs.

A bill (S. 7371) granting a pension to Thomas S. Smoot; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 7372) authorizing the appointment of Capt. William G. Williams as a second lieutenant in the Coast Artillery Corps, United States Army; and

A bill (S. 7373) for the relief of Robert S. Emerson; to the Committee on Military Affairs.

By Mr. PENROSE:

A bill (S. 7374) to reclassify the grades and fix the salaries of railway postal clerks; to the Committee on Post Offices and Post Roads.

A bill (S. 7375) granting an increase of pension to Hezekiah Dixon (with accompanying papers);

A bill (S. 7376) granting an increase of pension to Benjamin F. Byers;

A bill (S. 7377) granting an increase of pension to Kate G. Caton; and

A bill (S. 7378) granting an increase of pension to Thomas R. Luckhardt; to the Committee on Pensions.

By Mr. ASHURST:

A bill (S. 7379) to authorize a report upon the necessity for certain bridges on the Navajo Indian Reservation, Ariz.; to the Committee on Indian Affairs.

By Mr. SIMMONS:

A bill (S. 7380) for the construction of Coast Guard cutters; and

A bill (S. 7381) to provide adequate subsistence for the warrant officers and enlisted men of the Coast Guard; to the Committee on Commerce.

By Mr. GORE:

A bill (S. 7382) granting a pension to Margary Dotter; to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 7383) granting a pension to Elizabeth A. Kilburn; A bill (S. 7384) granting an increase of pension to Sylvester Manship;

A bill (S. 7385) granting a pension to Catharine Strain;

A bill (S. 7386) granting an increase of pension to Bazzel B. Grunden;

A bill (S. 7387) granting an increase of pension to Josiah Williams;

A bill (S. 7388) granting an increase of pension to William A. Hitchborn;

A bill (S. 7389) granting an increase of pension to George W. Barger;

A bill (S. 7390) granting an increase of pension to William J. McCullough;

A bill (S. 7391) granting an increase of pension to Thompson H. Withers;

A bill (S. 7392) granting an increase of pension to Thomas Burk;

A bill (S. 7393) granting an increase of pension to Israel W. Gregg;

A bill (S. 7394) granting an increase of pension to William D. Thompson;

A bill (S. 7395) granting an increase of pension to Joseph R. Wright;

A bill (S. 7396) granting an increase of pension to John C. Henderson;

A bill (S. 7397) granting an increase of pension to Minerva J. Long; and

A bill (S. 7398) granting an increase of pension to Mary L. Sanderson; to the Committee on Pensions.

By Mr. REED:

A bill (S. 7399) granting a pension to Ethel M. Kurfiss;

A bill (S. 7400) granting a pension to C. A. Sheets (with accompanying papers);

A bill (S. 7401) granting a pension to James Grogan (with accompanying papers);

A bill (S. 7402) granting an increase of pension to Jeremiah Carlisle (with accompanying papers); and

A bill (S. 7403) granting an increase of pension to Martha E. Moore (with accompanying paper); to the Committee on Pensions.

By Mr. POMERENE:

A bill (S. 7404) for the retirement of public-school teachers in the District of Columbia; and

A bill (S. 7405) authorizing the Post Office Department to acquire and extend the telephone system of the District of Columbia; to insure the Government complete control of such means of communication in safeguarding its military and executive affairs within the seat of government; to provide a special telephone service to facilitate the direct sale of farm products to consumers in said District; and to establish the efficiency and economy with which such service may be postally conducted; to the Committee on the District of Columbia.

By Mr. SWANSON:

A joint resolution (S. J. Res. 184) to authorize the Secretary of State to enter into negotiations with the Republic of Chile for the purpose of entering into a convention for the settlement of all claims owned by citizens of the United States against the Republic of Chile and by citizens of the Republic of Chile against the United States of America; to the Committee on Foreign Relations.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SMITH of Maryland submitted an amendment relative to the appointment of one clerk of class 4 in the Office of the Naval Records, Library of the Navy Department, etc., intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 18542), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CLARK submitted an amendment proposing to increase the appropriation for continuing the work of constructing an irrigation system within the diminished Shoshone or Wind River Reservation in Wyoming from \$100,000 to \$150,000, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 18453), which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment proposing to appropriate \$250,000 for beginning the construction of an irrigation system for the irrigation of ceded Indian lands of the Shoshone or Wind River Reservation in Wyoming, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 18453), which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. CATRON submitted an amendment proposing to appropriate \$250,000 for the construction of a steel bridge across the San Juan River in San Juan County, N. Mex., at the best and most available location west or southwest and near the town of Farmington, in that State, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 18453), which was referred to the Committee on Indian Affairs and ordered to be printed.

ADJUDICATION OF PRIVATE CLAIMS.

Mr. NELSON submitted an amendment intended to be proposed by him to the bill (H. R. 6918) to relieve Congress from the adjudication of private claims against the Government, which was referred to the Committee on the Judiciary and ordered to be printed.

INVESTIGATION BY COMMITTEE ON PRINTING.

Mr. KENYON. I offer the following resolution, which speaks for itself, and I ask for its immediate consideration.

The resolution (S. Res. 290) was read, considered by unanimous consent, and agreed to, as follows:

Whereas the cost of print paper has so enormously increased; and Whereas the demand for such paper is constantly increasing; and

Whereas great quantities of print paper are used by the Government in printing useless bulletins, pamphlets, books, etc.; and Whereas in the present emergency regarding print paper the supply should be conserved: Therefore be it

Resolved, That the Committee on Printing of the Senate be directed to investigate the subject and to report to the Senate within 30 days from the passage of this resolution as to what bulletins and publications, if any, issued by the Government may be suspended temporarily at least, and as to what economies may be practiced in the use of print paper and other paper by the Government in the various Government departments.

PURCHASE OF FOOD SUPPLIES.

Mr. GALLINGER. I offer two resolutions, one addressed to the Secretary of War and the other to the Secretary of the Navy. They are identical in phraseology. I ask for the present consideration of the resolutions.

The first resolution (S. Res. 291) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of War inform the Senate to what extent, if any, Army officers and employees are now permitted to purchase food supplies through Government agencies; what reduction from the prevailing market prices of such food supplies is thereby obtained by such officers and employees; and whether it would be practicable to grant similar privileges to other employees of the Government.

The second resolution (S. Res. 292) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Navy inform the Senate to what extent, if any, naval officers and employees are now permitted to purchase food supplies through Government agencies; what reduction from the prevailing market prices of such food supplies is thereby obtained by such officers and employees; and whether it would be practicable to grant similar privileges to other employees of the Government.

PROHIBITION IN THE DISTRICT OF COLUMBIA.

The VICE PRESIDENT. The morning business is closed.

Mr. SHEPPARD. I move that the Senate proceed to the consideration of Senate bill 1082.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1082) to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes.

Mr. JONES. Mr. President, I propose to take this opportunity to make an inquiry of the chairman of the Committee on Post Offices and Post Roads or some member of that committee.

At the last session of Congress a motion was made in the Senate to make in order on the Post Office appropriation bill a provision preventing the use of the mails for carrying liquor advertisements into States where such liquor advertisements are not permitted. Upon the vote on the motion to make it in order a majority of the Senate voted favorably; but under the rules of the Senate as heretofore construed it required a two-thirds majority, and that could not be had.

The appropriation bill is now pending before the Committee on Post Offices and Post Roads, and I want to call attention to the character of three or four advertisements and the methods used by those distributing liquors in States where they have laws preventing these advertisements.

I have here a photograph of an envelope which indicates that they address their envelopes containing their advertisements without addressing it to any particular individual, but not knowing who lives at a certain place and knowing there is such a location they simply address it to the occupant in order that it may be sure to reach the desired address. I have one here that has a return on it in this form, "Return in 10 days to P. O. Box 24," without indicating what the purpose of it is, the business of the sender, or anything of that sort. It is addressed: "Occupant of 1523 North Nineteenth Street, Birmingham, Ala." Of course, the occupant of the building upon that lot will not know what it is when he gets it until he opens it. I am informed that the gentleman who received this is very bitterly opposed to the sale of liquor and the use of liquors and would be insulted if asked to drink.

Then here is another form of advertisement that is sent into States where they have laws preventing such advertisements:

For private persons only.

Let us send you our interesting price list, containing sealed information explaining our method of shipping wines and liquors to your home. Correspondence confidential.

Then here is another one, using the mails of the United States to evade and nullify the laws of the different States:

It's nobody's business but yours and ours. Wines and liquors for family and medicinal use sent to your home incognito. Send for free sealed information.

Note the insult to the people of the States who are trying to protect their children and their homes from a traffic which they condemn and who think that this is their business. Is it possible that it is not the business of these people that their laws are evaded and nullified? Does the Senate agree with this advertisement, that it is not the business of the people of these States?

Then I have another. This is an envelope with a return corner, on which is printed "The Manufacturers and Dealers' Association of America."

That looks like a very innocent organization, one having to do with the industries or manufactures of the country. It also has marked on the envelope: "Private mail. Very important. Read. Think." Then it contains an advertisement of liquors telling the recipient of this letter or envelope how he may get them.

Then here is another advertisement sent into these States:

Free whisky! Send us your name and address, thereby placing yourself in position to receive a full quart of the finest whisky free of cost.

That certainly would be a rather enticing advertisement to anybody who was inclined to use liquor.

Here is one more, and this is the only further one that I am going to call attention to, that is sent through the mails into this prohibited territory:

All for \$3.48—

Then there is a picture of a fine-looking revolver placed in a beautiful holster with a good supply of cartridges—

Revolver and whisky free—

Then there is a splendid bottle having on it "100 proof rye or corn."

The advertisement reads as follows:

All for \$3.48.

Revolver and whisky free.

Send us order for sample box (50) of our regular \$75 per thousand cigars, which we will express you at wholesale for only \$3.48, having figured off special discounts, and will give you in same shipment this S & W mod. safety police, either .32 or .38 caliber, revolver absolutely free; also this full quart 100 proof rye or corn whisky free. Name express office and remit \$3.48 with three addresses of friends who buy by mail and all the goods as advertised will be shipped you first express. Money order or cash—

And so on.

What I want to ask the chairman of the committee is, whether or not the committee is considering acting upon the bill, that has been pending before the committee so long, to prohibit the use of the mails for carrying advertisements like this into territory where these advertisements are prohibited?

Mr. BANKHEAD. Mr. President, speaking for myself, I want to say to the Senator from Washington that I am decidedly in favor of the reporting and passage of that bill. I believe that in the States where prohibition laws are in effect they should be enforced. To that end, I think, the passage of the bill perhaps would largely contribute. I have called a meeting of the committee for next Tuesday, at which time I shall lay the bill before the committee, and, so far as I am able to do, I shall try to secure a favorable report upon it.

My own opinion is, from discussing this matter with members of the committee, that a majority are in favor of the bill being reported. However, I can not definitely say as to that. All that I can say in response to the inquiry of the Senator from Washington is that, as chairman of the committee, I am decidedly in favor of reporting the bill and shall make the best effort I can to get the bill out of the committee next Tuesday.

Mr. SMITH of Georgia. There are a half dozen such bills pending in the committee.

Mr. BANKHEAD. Yes; there is more than one such bill now pending before the committee. I have a bill there; the Senator from Georgia [Mr. SMITH] has one, and there are other bills. I can not definitely say which of those bills the committee will prefer to report, but I have no doubt that we shall report out some one of them next Tuesday.

Mr. JONES. Mr. President, I know the Senator from Alabama could not give me any more assurances than he has given, and I am glad to learn that a meeting of the committee has been called and that the chairman of the committee is so heartily in favor of some legislation along these lines. Of course, I know there are different proposals, that there are different bills which have been submitted. I hope that the committee will have a quorum present at the next meeting which has been called, and that it will take action upon this proposition and will report to the Senate some measure such as in its judgment it deems wise. That, of course, will then give the Senate an opportunity to consider the matter and to express its will with reference to it. I believe the great majority sentiment of the country is in favor of it. A majority of the daily newspapers of the country now refuse their advertisements. One great paper in this city has announced it will refuse them. These papers should be protected from the cupidity of those papers that are willing to permit for gain the use of their columns to evade the laws of the States of the Union.

So far as I am concerned, I think it is really infamous that the mails of the United States should be permitted to be used as an instrument of advertisements like these to carry these articles into States where the people of the States have by their

laws prohibited the sale of such articles and the printing of such advertisements. I can not believe that the Senate will permit this abuse to continue, if it gets an opportunity to vote upon the proposition. I am therefore glad to have this assurance from the chairman of the committee, and I hope that the committee will take prompt action on the matter.

Mr. SMOOT. Mr. President, I desire to offer at this time a substitute for Senate bill 1082. In doing so, I wish to say that this is a prohibition bill; and, if we are going to have prohibition in the District of Columbia, I think we ought to have it, and not have a mere makeshift, as I consider Senate bill 1082 to be. The result of that bill, if enacted into law, I think, will be very disappointing, indeed, to the people who believe in prohibition.

In saying that, Mr. President, I do not mean to intimate that the bill is not a step toward prohibition; I believe that even the passage of this bill will be a step in the right direction; but if the prohibitionists really want prohibition in the District of Columbia, I think they ought to have a chance to vote for a bill that will bring prohibition without a question of doubt. Therefore, Mr. President, I offer the amendment which I send to the desk as a substitute for Senate bill 1082, and I ask that the Secretary may read it.

The VICE PRESIDENT. The Secretary will read the substitute offered by the Senator from Utah.

The SECRETARY. It is proposed to strike out all after the enacting clause of the bill and to insert:

That on and after the 1st day of November, A. D. 1917, it shall be unlawful for any person, house, association, firm, company, club, or corporation, his, its, or their agents, officers, clerks, or servants, to sell, manufacture, or dispose of any intoxicating liquor or alcohol of any kind in the District of Columbia or to have in his or its possession or to transport any intoxicating liquor or alcohol in the District of Columbia unless the same was procured and is so possessed and transported under a permit as hereinafter provided.

Wherever the term "liquor," "intoxicating liquor," or "intoxicating liquors" is used in this act it shall be deemed to include whisky, brandy, rum, gin, wine, ale, porter, beer, cordials, hard or fermented cider, alcoholic bitters, ethyl alcohol, all malt liquors, and all other alcoholic liquors.

That any person, or persons, or any house, company, association, club, or corporation, his, its, or their agents, officers, clerks, servants, who shall, directly or indirectly, violate the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$300 nor more than \$1,000 and shall be imprisoned in the District jail or workhouse for a period of not less than 30 days nor more than one year for each offense.

SEC. 2. That before a pharmacist shall be authorized to transport pure alcohol for scientific or mechanical purposes or for compounding or preparing medicines, as provided by this act, he shall procure a permit for that purpose from the Commissioners of the District of Columbia.

SEC. 3. That to procure such permit a pharmacist shall make and file with the Commissioners of the District a statement in writing under oath stating that he desires to transport pure alcohol for scientific or mechanical purposes or for compounding, preparing, or preserving medicines only, as provided by this act, and giving his name, the location of his place of business, a statement that he is a licensed pharmacist, that he is regularly engaged in the practice of his profession at the location named, and that he will not violate any provisions of this act.

SEC. 4. That if the Commissioners of the District are satisfied of the good faith of the applicant, they shall issue to such pharmacist a permit to transport pure alcohol for compounding, preparing, or preserving medicines or for scientific or mechanical purposes. Such permit shall be substantially in the following form:

PERMIT TO PHARMACISTS TO TRANSPORT PURE ALCOHOL FOR COMPOUNDING, PREPARING, AND PRESERVING MEDICINES ONLY OR FOR SCIENTIFIC OR MECHANICAL PURPOSES.

DISTRICT OF COLUMBIA,

City of Washington, ss:

_____, a pharmacist, residing at _____, is hereby permitted to transport pure alcohol for compounding, preparing, and preserving medicines only or for scientific or mechanical purposes. This permit can only be used for one shipment and will be void after 20 days from the date of issue.

By order of the Commissioners of the District.

Dated this _____ day of _____, 191____.

President of the Board.

SEC. 5. That said permit mentioned in section 4 hereof shall be issued upon forms supplied by the Commissioners of the District and shall contain the permit, a copy of the application for permit, and a copy of the provisions of section 6 of this act, and shall be issued under the seal of the Commissioners of the District and shall be void for transportation purposes after 20 days from the date of issuance. The Commissioners of the District shall keep in a separate book provided for that purpose a record of permits issued under this act, wherein shall be entered the date and the number thereof, the person to whom issued, and the purpose for which issued.

SEC. 6. That said permit shall be attached to and remain affixed in a conspicuous place upon any package or parcel containing pure alcohol imported into or shipped in the District of Columbia, and when so affixed shall authorize any common carrier or any person operating a boat or vehicle for the transportation of goods, wares, or merchandise within the District to transport, ship, or carry such pure alcohol. Any person so transporting such alcohol shall, before the delivery of such package or parcel, cancel said permit and so deface the same that it can not be used again.

SEC. 7. That all express companies, railroad companies, public or private carriers, are hereby required to keep a separate book in which shall be entered, immediately upon receipt thereof, the name of the person to whom pure alcohol is shipped, from what city or town and State the same was shipped, and the name of the shipper, the amount and kind

received, the date when received, the date when delivered and to whom delivered, after which record shall be a blank space in which the consignee shall be required to sign his own name in ink before such pure alcohol is delivered to such consignee, which book shall be open to the inspection of the public at any time during business hours of the company and shall not be removed from the place where the same is required to be kept. A copy of entries upon any such record herein provided to be kept, when certified to by the agent of any express or railroad company, or any public or private carrier in charge of the same, shall constitute prima facie evidence of the facts therein stated in any court of the District.

It shall be unlawful for any person, house, association, firm, company, club, or corporation, his, its, or their agents, officers, clerks, or servants, to ship alcohol or intoxicating liquor to a false or fictitious name or person, or any person to receive or receipt for alcohol or intoxicating liquor in a false or fictitious name.

Sec. 8. That any common carrier or any person operating a boat or vehicle for the transportation of goods, wares, or merchandise may accept for transportation, and may transport to any place within the District of Columbia shipments of wine for sacramental purposes when there is attached to such shipments a certificate in substantially the following form:

"I (or we) certify that this package contains only _____ (amount) of _____ wine, which has been ordered by _____, who represents himself to be a duly authorized and officiating priest, or minister, of the _____ church, at _____, D. C., and that said wine is desired for sacramental purposes only.

(Signature of shipper.)

Sec. 9. That whenever a shipment of wines for sacramental purposes shall have been transported for delivery within the District of Columbia the delivering agent of the transportation company must refuse to deliver the same unless it is accompanied by the certificate prescribed in section 8 of this act, and then only to the person to whom the same is addressed, or upon his written order. The transportation company must keep a record of all shipments and deliveries of wines for sacramental purposes, and must preserve for a period of one year after their receipt all certificates accompanying such shipments and all written orders upon which deliveries may be made. Such records must be open to the inspection of the public at any time during office hours.

Sec. 10. That any person who shall desire to purchase pure alcohol for scientific or mechanical purposes shall apply to the Commissioners of the District for a permit for that purpose. To procure such permit he shall make and file with the commissioners a statement in writing, under oath, stating that he desires to purchase pure alcohol for scientific or mechanical purposes, as provided by this act, and giving his name and residence and the place at which such pure alcohol is to be used.

Sec. 11. That if the Commissioners of the District are satisfied of the good faith of the applicant, they shall issue to said applicant a permit to purchase pure alcohol for scientific or mechanical purposes. The original of said permit shall have attached thereto a duplicate copy, and each shall be numbered with the same number and be in substantially the following form:

DISTRICT OF COLUMBIA,
City of Washington, ss:

_____, residing at _____, is hereby permitted to purchase pure alcohol in the amount of _____ (here insert quantity), to be used for scientific or mechanical purposes. This permit can only be used for one purchase, and the copy hereof attached hereto shall be conspicuously pasted upon the package containing said alcohol, and this permit to purchase shall be void after 20 days from the date hereof.

By order of the Commissioners of the District.
Dated this _____ day of _____, 19____.

President of the Board.

Sec. 12. That the permit mentioned in section 11 shall authorize the applicant to purchase and any pharmacist to sell and deliver to him the quantity named in the said permit. The permit shall be canceled, kept, and retained on file for at least one year by the pharmacist so selling said pure alcohol, and the copy of said permit shall be by the pharmacist conspicuously pasted upon the receptacle containing said alcohol, and shall so remain upon said receptacle so long as the same shall contain alcohol. Said permit and copy shall only authorize one purchase and sale. It shall be unlawful for any pharmacist to sell pure alcohol without the permit herein specified or for any person to keep or have in his possession any pure alcohol unless the receptacle containing the same shall be distinctly labeled with the copy of the permit authorizing the purchase of the same.

Sec. 13. That it shall be unlawful for any person owning, leasing, or occupying or in possession or control of any premises, building, vehicle, car, or boat to knowingly permit thereon or therein the manufacture, transportation, disposal, or the keeping of intoxicating liquor with intent to manufacture, transport, or dispose of the same in violation of the provisions of this act.

Sec. 14. That it shall be unlawful for any person to import, ship, sell, transport, deliver, receive, or have in his possession any intoxicating liquors except as in this act provided.

Sec. 15. That any person who shall in any public place or in or upon any passenger coach, street car, boat, or in or upon any other vehicle commonly used for the transportation of passengers, or in or about any depot, platform, or waiting room drink any intoxicating liquor of any kind, or any person who shall be drunk or intoxicated in any public or private road or street, or in any passenger coach, street car, or any public place or building, or at any public gathering, or any person who shall be drunk or intoxicated and shall disturb the peace of any person, shall be guilty of a misdemeanor.

Sec. 16. That any person convicted of violation of any of the provisions of this act where the punishment therefor is not herein specifically provided shall be punished by a fine of not less than \$50 nor more than \$500, and by imprisonment in the District jail or workhouse for a period of not less than 30 days nor more than 6 months.

Sec. 17. That a person having once been convicted of a violation of any of the provisions of this act, except section 15, who thereafter violates the provisions hereof shall be considered a persistent violator of this act and shall be deemed guilty of a felony, and upon conviction thereof shall be imprisoned in the District jail or workhouse for a period of not less than one year and not more than two years.

Sec. 18. That in case a pharmacist is convicted under the provisions of this act the Commissioners of the District shall, in addition to the penalty provided by this act, revoke his license to practice pharmacy.

Sec. 19. That the issuance by the United States of any internal-revenue special-tax stamp or receipt to any person as a dealer in intoxicating liquors shall be prima facie evidence of the sale of intoxicating liquors by such person during the time the stamp or receipt is in force and effect.

A copy of such stamp or receipt or of the record of the issuance thereof, certified to by a United States internal-revenue officer having charge of such record, is admissible as evidence in like case and with like effect as the original stamp or receipt.

Sec. 20. That it shall be unlawful for any person, firm, house, company, association, corporation, or club, his, its, or their agents, officers, clerks, servants to have in his or its possession any intoxicating liquors of any kind for any use or purpose, except the same shall have been obtained and is so possessed under a permit authorized by this act.

Sec. 21. That it shall be the duty of the Commissioners of the District of Columbia to enforce the provisions of this act. They shall detail qualified members of the police force to detect violations of the act, if any, and to report promptly all knowledge or information they may have concerning such violations, together with the names of any witnesses by whom they may be proven to the corporation counsel; but it shall be the duty of all members of the police force to detect violations of the act and to promptly report any information or knowledge concerning the same to the corporation counsel, together with the names of witnesses, by whom such violations may be proven; and the corporation counsel shall bring such alleged violators of the law to trial with all due diligence.

If any such officer shall fail to comply with the provisions of this section, he shall upon conviction be fined in any sum not less than \$100 nor more than \$500; and such conviction shall be a forfeiture of the office held by such person, and the court before whom such conviction is had shall, in addition to imposition of the fine aforesaid, order and adjudge the forfeiture of his said office. For a failure or neglect of official duty in the enforcement of this act any official herein referred to may be removed by court action.

Sec. 22. That prosecutions for violations of the provisions of this act shall be on information filed in the police court by the corporation counsel of the District of Columbia or any of his assistants duly authorized to act for him, and said corporation counsel or his assistants shall file such information upon the presentation to him or his assistants of sworn information that the law has been violated; and such corporation counsel and his assistants shall have power to administer oaths to such informant or informants, and such others as present themselves, and anyone making a false oath to any material fact shall be deemed guilty of perjury and subject to the same penalties as now provided by law for such offense.

When, however, it appears to the Commissioners of the District of Columbia that it will be in the interest of more effective enforcement of the provisions of this act, they may request the United States district attorney for the District of Columbia to prosecute persons charged with offenses against the law, and when so requested by said commissioners the said district attorney shall proceed before the grand jury and in the Supreme Court of the District of Columbia to prosecute such offenders in manner now prescribed by law for the prosecution of persons charged with violations of the laws against crime in the District of Columbia.

Sec. 23. That if for any reason any section, paragraph, provision, clause, or part of this act shall be held unconstitutional or invalid, that fact shall not affect or destroy any other section, paragraph, provision, clause, or part of the act not in and of itself invalid, but the remaining parts of sections shall be enforced without regard to that so invalidated.

Sec. 24. That in the interpretation of this act words of the singular number shall be deemed to include their plurals, and words of the masculine gender shall be deemed to include the feminine, as the case may be.

Sec. 25. That this act shall be in full force and effect on and after the 1st day of November, 1917, and all laws and parts of laws inconsistent herewith be, and they are hereby, repealed. And that the excise board for the District of Columbia, provided for and established under the act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, be, and it is hereby, abolished upon the taking effect of this act.

Mr. SMOOT. Mr. President, I ask that that substitute be printed and lie upon the table.

Mr. CURTIS. Mr. President, I should like to ask the Senator from Utah a question. I listened to the reading of the proposed substitute, but did not hear all of it. I desire to learn if there is a provision in it declaring places where intoxicating liquors are kept for sale to be a public nuisance?

Mr. SMOOT. There is no specific provision in the substitute declaring those places a public nuisance.

Mr. CURTIS. I will prepare, at the proper time, an amendment declaring them to be such.

Mr. UNDERWOOD. Mr. President, may I ask the Senator from Utah a question in reference to his amendment?

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Alabama?

Mr. SMOOT. I shall be glad to answer the question if I can.

Mr. UNDERWOOD. Under this amendment, is the shipment of alcohol into the District entirely prohibited?

Mr. SMOOT. It is only permitted as provided in the substitute. I will say to the Senator that it prohibits the importation of all liquors of any kind—beers and malted liquors—into the District of Columbia. The only thing that can come here is the alcohol, and that can only come as provided in the substitute. Pharmacists can ship it here for the purposes named in the substitute—medicinal purposes and scientific purposes.

Mr. UNDERWOOD. And does the Senator propose to cut it out for beverage purposes entirely?

Mr. SMOOT. Entirely—not only alcohol but every other kind of liquor; intoxicating liquors of all kinds.

Mr. UNDERWOOD. What does the Senator's amendment propose to do with the question of exporting alcohol from the District of Columbia?

Mr. SMOOT. It absolutely prohibits the manufacture of liquors of all kinds, alcohol as well as malted beers, in the District of Columbia.

Mr. UNDERWOOD. The Senator does not play favorites with anybody?

Mr. SMOOT. Not at all. It is a pure, unadulterated prohibition measure.

The VICE PRESIDENT. The question is on the amendment of the Senator from Texas, which will be stated by the Secretary.

The SECRETARY. On page 1, line 8, after the word "barter," it is proposed to insert "export, ship out of the District of Columbia."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. On page 2, line 1, it is proposed to insert a comma after the word "of."

The amendment was agreed to.

The SECRETARY. After the word "importation," in line 23, page 2 of the reprint, it is proposed to add the word "exportation."

Mr. UNDERWOOD. Mr. President, what has become of the amendment that was proposed just before that one on page 2, line 1? The Secretary stated that on page 2, line 1, it was proposed to insert a comma after the word "of," and then it goes on to say:

The paragraph as amended will read as follows.

That was not stated to the Senate.

The VICE PRESIDENT. That is not an amendment.

Mr. SHEPPARD. The paragraph to which the Senator refers was added merely by way of explanation. The amendments already adopted will make the paragraph read as it appears on page 2.

Mr. UNDERWOOD. Oh, I see. The former amendments make it read that way?

Mr. SHEPPARD. That is correct.

The SECRETARY. On page 2, line 23, after the word "importation" and the comma, it is proposed to insert the word "exportation."

The amendment was agreed to.

The Secretary proceeded to read the next amendment of Mr. SHEPPARD, which was to insert a new section, to be known as section 2a. During the reading,

Mr. SHEPPARD. Mr. President, I ask that the clause "nor shall more than one member of a family occupying the same house" be stricken out.

Mr. UNDERWOOD. I did not catch the Senator's amendment.

Mr. SHEPPARD. I ask that the clause "nor shall more than one member of a family occupying the same house" be stricken out.

The SECRETARY. On page 4 of the amendment, in lines 5 and 6, it is proposed to strike out "nor shall more than one member of a family occupying the same house."

The VICE PRESIDENT. This is the amendment of the Senator from Texas, is it not?

Mr. SHEPPARD. It is my amendment.

The VICE PRESIDENT. The Senator has a right to strike it out, then.

The Secretary resumed the reading of the amendment.

Mr. SHEPPARD. I wish to have substituted for "intoxicating" the word "alcoholic."

The SECRETARY. On page 4, line 10, it is proposed to strike out the word "intoxicating" and insert the word "alcoholic."

The VICE PRESIDENT. That modification will be made.

The Secretary resumed the reading of the amendment.

Mr. SHEPPARD. On page 5, after line 3, I wish to insert the following:

No minor or habitual drunkard shall be permitted to order or possess alcoholic liquors in any quantity whatsoever.

The SECRETARY. On page 5, following line 3, the Senator from Texas modifies his amendment by inserting:

No minor or habitual drunkard shall be permitted to order or possess alcoholic liquors in any quantity whatsoever.

The Secretary resumed and concluded the reading of the amendment, which, as modified, is as follows:

Sec. 2a. All railroad, steamboat, or other boat companies, express and transportation companies of any kind, which shall in any manner at any time transport intoxicating liquors into the District, are hereby required to keep a record, alphabetically arranged, in which shall be entered immediately upon receipt thereof the name of every person shipping or to whom intoxicating liquors are shipped, the amount and

kind of liquor, the date of delivery, by whom and to whom delivered, and the affidavit of the person receiving the liquor as provided herein. After this record is made and before delivery it shall be signed by the consignee. The book shall be open to the inspection of any person during the business hours of the company. Such books or a copy of such records, attested by an officer of the company or verified by affidavit, shall be admissible as evidence in any court and shall be prima facie evidence of the fact therein stated in any trial or proceeding for the enforcement of the provisions of this act.

An employee or agent of any express company, railroad company, steamboat company, or transportation company charged with the duty of keeping such record who shall fail to keep such record shall be guilty of a misdemeanor.

Any railroad company, express company, steamboat company, or transportation company who shall not require some one of its employees to keep such record shall be fined not less than \$25 nor more than \$100 for every day or portion thereof during which such failure shall continue.

No railroad or other transportation company shall receive a package of liquor to be shipped or carried into the District without having attached to it the affidavit of the consignee stating the amount of the liquors, the kinds of liquors ordered, and that it is not purchased for, nor will such liquors be used by the consignee for, an illegal purpose.

No person shall have in his possession, receive, or accept delivery of liquor more than once a month from any railroad, steamboat, express company, or transportation company of any kind, or from any person whomsoever, any alcoholic liquors in excess of one quart of distilled liquor in a single container, or one gallon of beer, or one gallon of wine, except as herein otherwise provided. Every container in which such distilled liquor, wine, or beer is carried or transported, shall have on it a card not less than 12 inches long by 6 inches wide, upon which shall be stated in letters not less than 1 inch high the kind and quantity of its contents; but a container in which a quart or less is carried may have on it a card 6 inches long by 4 inches wide, upon which shall be stated in letters not less than 1 inch high the kind and quantity of its contents, and the consignee shall, before receiving the distilled liquor, wine, or beer, sign a record as herein provided, and shall make an affidavit that the said distilled liquor, wine, or beer will not be used in violation of the provision of this act. A certified copy of such record shall be filed with the District Commissioners not later than the 5th day of each month for the calendar month preceding. Such commissioners shall keep a public record of such data as herein provided.

No minor or habitual drunkard shall be permitted to order or possess alcoholic liquors in any quantity whatsoever.

Any person who shall violate the provision of this section shall be guilty of a misdemeanor and be punished as provided in section 1 of this act.

Mr. SHEPPARD. Mr. President, the Senator from Iowa [Mr. KENYON] gave notice yesterday that he wished to move to reconsider the action of the Senate by which the amendment relating to ambassadors and ministers was adopted. I say to him that if he desires to make a change along that line it should be done at this point.

Mr. KENYON. Mr. President, I do not understand that the amendment now proposed by the Senator has been adopted.

Mr. SHEPPARD. Does the Senator wish to wait until this amendment is adopted?

Mr. KENYON. It is entirely immaterial. I would just as soon.

Mr. SHEPPARD. I ask that this amendment be passed over for the present and that we may proceed with the next one.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

The SECRETARY. It is proposed to add a new section, to be known as section 5a, as follows—

Mr. KENYON. Mr. President, I understood the Senator from Texas to suggest that the reconsideration I proposed last evening would be proper at this point. I rather think, however, that it comes in the next section, section 6. This is section 5a. I will defer it until section 6 is reached.

Mr. JONES. Mr. President, I wish to make an inquiry of the Senator from Texas. Section 6 has in it the provision with reference to foreign ambassadors. According to the reprint section 6 goes out, and section 4 apparently covers the provision in the first part of section 6 with reference to ministers and pastors getting liquors for sacramental purposes, and does not show the provision with reference to ambassadors.

Mr. SHEPPARD. If the Senator will turn to page 10 of the reprint, section 4—

Mr. JONES. That is where I am.

Mr. SHEPPARD. I wish to direct his attention to the fact that the Senate added the clause relating to ambassadors and ministers to this section, and inserted it after the word "purpose," in line 17. That is the action which the Senator from Iowa moves to reconsider.

Mr. JONES. No such provision appears in the reprint.

Mr. SHEPPARD. The bill has not been reprinted with the amendments adopted so far by the Senate.

Mr. JONES. Oh, I see.

Mr. KENYON. Mr. President, I was confused in that matter because it did not appear in the print I had. If that is a fact, as I assume it is, I think now would be the proper time to ask a reconsideration. I ask unanimous consent to reconsider the action on the amendment of section 4 with relation to ambassadors and ministers of foreign countries.

The VICE PRESIDENT. The question is on the reconsideration of the vote whereby an amendment was adopted to section 4. The Chair does not know what it is, and does not suppose anybody else knows.

The motion to reconsider was agreed to.

Mr. KENYON. Mr. President, when section 6 is reached I shall make the same request. It seems to me, upon reflection, that we ought to say nothing at all in this bill about the ambassadors or ministers of foreign powers. That is something that is governed by international law and custom between countries, and nothing that we could say here in any event would amount to anything. It would not be enforceable, and it might lead to irritation and embarrassment. I asked to reconsider it because I think we should say absolutely nothing about foreign ambassadors and ministers from foreign countries.

Mr. JONES. Mr. President, as a member of the committee which reported this bill to the Senate, I agree with the Senator from Iowa as far as I am concerned. I think, under the circumstances, it probably would be better to leave out any reference to foreign ambassadors, and let them take their chances under the law and under existing customs and regulations between nations.

Mr. SHEPPARD. Mr. President, I have no objection to that course. Does the Senator from Iowa move to strike out the provision?

Mr. KENYON. I suppose the question is on agreeing to this amendment, as the action on it has been reconsidered, and it does not require a motion to strike out. If it requires a motion to strike out, however, I will make that motion.

The VICE PRESIDENT. No; it does not require it. The question is on agreeing to the amendment.

The amendment was rejected.

The VICE PRESIDENT. The amendments passed over will be stated.

Mr. SHEPPARD. Section 5a was passed over.

The SECRETARY. It is proposed to add a new section to be known as section 5a, as follows:

SEC. 5a. That every licensed manufacturer of alcoholic liquor not herein prohibited shall keep a permanent record of all sales and shipments of alcoholic liquor. Such record shall set forth the following information: The name of the consignee or purchaser, the quantity of liquor, the express company or other carrier by which such liquor was shipped, the date of sale or shipment, and the purpose of the purchase as set forth in the affidavit accompanying the order. Each common or special carrier of alcoholic liquors within the District shall keep a record as above provided, and a certified copy of such record with a copy of the affidavits shall be filed with the District Commissioners not later than the 5th day of each month for the calendar month preceding. No shipment of alcoholic liquors shall be made until the purchaser signs an affidavit that such alcoholic liquors are not purchased for nor will such liquors be used or sold by the consignee for beverage purposes. The District Commissioners shall keep a public record of such sales, shipments, and affidavits, alphabetically arranged. Copies of the affidavit shall be attached permanently at the end of the record of each shipment or sale, and to each package containing liquor until delivered to the consignee. Any violation of this section shall be deemed a misdemeanor and be subject to the same penalties as provided in section 1 of this act.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment passed over will be stated.

The SECRETARY. Insert the following proviso at the close of section 5:

Provided further, That nothing in this act shall prevent any executive department or other establishment of the United States Government from purchasing or importing into the District of Columbia, free of tax and for its own uses, denatured, methyl, or ethyl alcohol for scientific, medicinal, pharmaceutical, or mechanical purposes.

The amendment was agreed to.

Mr. SHEPPARD. I move, on page 12 of the reprint, line 5, after the word "liquors," to insert the words "within the District of Columbia."

Mr. UNDERWOOD. Will the Senator explain the purpose of that amendment?

Mr. SHEPPARD. The purpose of the amendment is to show that this clause does not apply to shipments to points outside the District.

Mr. UNDERWOOD. What effect will the amendment have on exportation?

Mr. SHEPPARD. It will permit exportation for lawful purposes to anyone outside the District, and not to druggists only, as the clause originally read through mere oversight.

Mr. UNDERWOOD. And as the Senator proposes to enlarge his amendment it will widen the field for the exportation of alcohol outside of the District of Columbia?

Mr. SHEPPARD. As to alcohol manufactured for industrial, mechanical, sacramental, and medicinal purposes, it will widen the number of those to whom it may be shipped, instead of restricting such number to druggists only, that is all. It does not widen the field of exportation in any other sense.

Mr. UNDERWOOD. Mr. President, as I stated yesterday, I do not think this bill ought to be written for the purpose of playing favorites. There can not be any question in the world that the efforts on the part of the proponents of the bill to inject these amendments into it broaden the field of the shipment of alcohol out of the District for the purpose of taking care of and protecting a manufacturer of alcohol in the District of Columbia.

Mr. SHEPPARD. That is not true, Mr. President, with all due regard to the Senator.

Mr. UNDERWOOD. It is true.

Mr. SHEPPARD. I deny it.

Mr. UNDERWOOD. I am not talking about the Senator from Texas; he may deny it; but the Senator is not the proponent of this measure. I read a statement in the papers yesterday where the Antislavery League agreed, and it was published in a public print, that they would broaden this bill so as to open the field for the doing of the business of the manufacture of alcohol in the District of Columbia. The Senator from Texas, so far as I know, was not in that conference or at that meeting. If he was I am not informed, but it has not been denied that it was done.

Mr. SHEPPARD. I was not at the meeting.

Mr. UNDERWOOD. But the Senator is carrying out on the floor of the Senate the declared purpose of that meeting.

Mr. SHEPPARD. What is wrong in that declared purpose?

Mr. UNDERWOOD. Here is what I say is wrong, and I said so yesterday. There is one manufacturer of alcohol in this District who says he is a prohibitionist, and I do not doubt his word. As far as I know, he has contributed to that cause. He may or may not. I do not know, but I assume he has.

Mr. SHEPPARD. If the Senator knows—

Mr. UNDERWOOD. He is the one man, as far as I know, who is affected by this amendment.

Mr. SHEPPARD. Let me ask the Senator a question right there.

Mr. UNDERWOOD. Certainly.

Mr. SHEPPARD. Does this law prevent anybody else from going into the business of making alcohol for nonbeverage purposes? Does it restrict that privilege to one individual or one institution?

Mr. UNDERWOOD. But here is where I say you are playing favoritism. You make this amendment so that this gentleman can continue his business and save his property. Now, I do not object to doing that, not for a minute; but I do say you are playing favorites when you confine the proposition to one man. There are other people who are going to have their property confiscated if you pass this bill; it will be just as absolutely destroyed as if you took a torch and set fire to it.

What I say is if you propose to play favorites and take care of one manufacturer of alcohol, you ought to do what is just, what is fair, and put a provision in the bill that you are going to pay all the men whose property is destroyed by this law and wiped out entirely. That is but just and fair; but because one manufacturer of alcohol happens to be on your side you are very careful to guard it, so that he will not get hurt, and then you destroy the balance of the people.

I do not think that is fair. I am not going to interfere with it, but I am asking you to submit this bill to the judgment of the people of the District, if this is the way that you want to play the game—it is your bill—and put it up to the people of the District that way. But I say it is not fair.

Mr. SHEPPARD. The statement of the Senator from Alabama is entirely unfair. The institution to which he refers manufactures alcohol for industrial, mechanical, and medicinal purposes. Institutions or individuals who manufacture alcohol for a beverage have no property rights, and the highest courts of the country have so decided. The courts say that they have no more right to be repaid for property used in that nefarious business than if they had been engaged in making counterfeit money or illicit-distilling machinery. The Senator's analogy can not be justified.

Mr. BORAH. May I ask for a statement of the amendment which is now pending?

Mr. SHEPPARD. Has the Senator the reprint before him?

Mr. BORAH. I have.

The SECRETARY. On page 12 of the reprinted bill, line 15, after the word "liquors," it is proposed to insert the words

"within the District of Columbia," so that, if amended, the paragraph will read:

Manufacturers licensed according to this section shall sell alcoholic and other prohibited liquors within the District of Columbia to druggists only, and only to such druggists as are licensed under the terms of this section.

Mr. SHEPPARD. I submit the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SHEPPARD. Now, Mr. President, after the word "druggists," in the same line, I move that there be inserted the words "hospitals, and scientific laboratories."

Mr. THOMAS. I think alcohol is one of the principal ingredients in the manufacture of cellulose explosives. If my information is correct, the principal consumers of alcohol are the manufacturers of powder. That, of course, is a great industry. I should like to inquire why the sale of alcohol for medicinal purposes should be limited to druggists and hospitals and other institutions of that kind when there is such a large market for legitimate consumption in other directions.

Mr. SHEPPARD. Those engaged in the legitimate industry of which the Senator speaks may obtain this material from druggists within the District of Columbia. We agreed to confine sale within the District to druggists in order to be able to keep in touch with the traffic more easily.

Mr. THOMAS. Does the Senator think the Du Pont or the Hercules Co., which consume large quantities of alcohol, should be compelled to go to the druggist for their supplies?

Mr. SHEPPARD. This amendment does not apply to shipments to points outside of the District of Columbia.

Mr. THOMAS. The sale, then, of alcohol manufactured in the District can be made to these large consumers?

Mr. SHEPPARD. Exactly.

Mr. GALLINGER. Mr. President, it is manifest to me that if this sale is to be permitted to druggists it ought to be permitted to hospitals and scientific laboratories. Alcohol is an absolute necessity in a hospital, and it is possibly a greater necessity in a scientific laboratory.

Mr. MARTINE of New Jersey. Mr. President, I should like to inquire of the Senator from Texas whether Peruna and Coca-Cola are included in the Senator's amendment. I am serious about that. I have a letter from a gentleman, no less than Dr. Wiley, who says that both these concoctions are poor and miserable whisky, and that there are more wrecks from Peruna than from many other drugs that are thought to be dangerous. I should like to inquire whether they are incorporated in the Senator's bill.

Mr. SHEPPARD. Coca-Cola is not affected by the bill.

Mr. MARTINE of New Jersey. Is Peruna?

Mr. SHEPPARD. Peruna being a patent medicine is controlled by the section which refers to sale by pharmacists and druggists, and as a medicine, under proper restrictions, it probably may be sold.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

Mr. SHEPPARD. Would it be agreeable to the Senator from Alabama to have his amendment for a referendum considered now?

Mr. UNDERWOOD. I would be very glad to do it, but I would prefer to have a vote on the substitute of the Senator from Utah [Mr. Smoot] first, because, as I said, my purpose is not to interfere with the manner and mode of the preparation of the bill. It is my effort merely to have a submission to the people of the District of Columbia. If the Senate intends to adopt the substitute offered by the Senator from Utah for the bill in charge of the Senator from Texas, I would then apply my amendment to the substitute of the Senator from Utah, and if he is prepared to proceed to a vote on that proposition I am prepared and ask that it be done now.

Mr. NORRIS. Mr. President, may I ask the Senator from Texas whether the amendment that we laid aside a while ago has been agreed to?

Mr. SHEPPARD. It has not been passed on. I asked that it be passed over because I wanted a little more time to discuss it with some of the Senators before finally submitting it; but if the parliamentary status is such that it must be immediately considered I am willing to dispose of it now.

Mr. NORRIS. I have no objection to its going over, but such an amendment as that ought to be disposed of before we vote on the substitute.

Mr. UNDERWOOD. I will say if we vote on the substitute and it is adopted it wipes the Senator's bill out of the way.

Mr. NORRIS. But a vote on the amendment should come before we vote on the substitute.

Mr. SHEPPARD. A parliamentary inquiry, Mr. President. May we vote on the substitute before passing on the amendments I have submitted.

The VICE PRESIDENT. By withdrawing them.

Mr. SHEPPARD. I hesitate to assume the responsibility of withdrawing one part of this amendment—that is, the amendment limiting the amount of liquor that may be imported to an individual for personal use, owing to the pronounced differences of opinion among those who favor this bill. I realize that we can not accomplish everything at once. If we destroy the saloon in this District, we will have taken a long step forward. Therefore I am going to withdraw the last two paragraphs of the amendment in question and ask that the other paragraphs be adopted.

Mr. UNDERWOOD. Will the Senator explain exactly what is withdrawn so that we may understand it?

Mr. NORRIS. The part which the Senator withdraws, I understand, commences at line 5, page 4, of the printed amendment?

Mr. SHEPPARD. And ends on line 6, page 5.

Mr. UNDERWOOD. Will the Senator read the language for our information?

Mr. SHEPPARD. The part withdrawn relates to the limitation of the amount that may be imported for personal use.

Mr. UNDERWOOD. So, as you leave it, there is no limitation on the amount?

Mr. SHEPPARD. I leave it in that shape, although I hesitate to do so. I wanted more time, but I realize that a decision must be made and that we can not accomplish everything in one effort. I think it best to withdraw that part of the amendment limiting importation for personal use.

Mr. UNDERWOOD. Has the Senator any further amendments pending?

Mr. SHEPPARD. I have none that I recall except the part of the amendment to be known as section 2a, which is still to be considered.

Mr. UNDERWOOD. What does that relate to?

Mr. SHEPPARD. It relates to regulations governing shipments and requiring records to be kept by the transportation companies, and so forth.

Mr. UNDERWOOD. The Senator does not desire to proceed with those amendments now?

Mr. SHEPPARD. We must proceed with them now. I ask that the parts of section 2a which I have not withdrawn be adopted.

Mr. WADSWORTH. Will the Senator from Texas clarify the situation—as far as I am concerned I may be very obtuse—as to the present condition of the bill since the withdrawal of the amendment which was under discussion yesterday, which the Senator withdrew a moment ago. As I understand it an amendment has been adopted to the bill which forbids the manufacture for sale or gift, import for sale, import for use or gift, of any alcoholic beverage except for nonbeverage purposes.

Mr. SHEPPARD. Of course, Mr. President, section 1 will have to be slightly rearranged to accommodate the withdrawal I have made.

Mr. WADSWORTH. I suppose the Senator probably contemplates elimination of the words "for use or gift."

Mr. SHEPPARD. I do. I shall ask that this be done after we adopt this other part of section 2a.

Mr. UNDERWOOD. Have the amendments of the Senator from Texas been disposed of?

The VICE PRESIDENT. They have not.

Mr. GALLINGER. I ask that the language which the Senator proposes to withdraw be read. I do not find it.

The SECRETARY. While under consideration the proposed amendment known as section 2a of the Senator from Texas was passed over. The Senator from Texas now proposes to modify that proposed amendment by striking from it the following words on page 4 of the amendment of the Senator from Texas, beginning at line 5, which reads:

No person shall, for personal use or gift, have in his possession, receive, or accept delivery oftener than once a month from any railroad, steamboat, express company, or transportation company of any kind, or from any person whomsoever, any alcoholic liquors in excess of 1 quart of distilled liquor in a single container, or 1 gallon of beer, or 1 gallon of wine, except as herein otherwise provided. Every container in which such distilled liquor, wine, or beer is carried or transported shall have on it a card not less than 12 inches long by 6 inches wide, upon which shall be stated in letters not less than 1 inch high the kind and quantity of its contents; but a container in which a quart or less is carried may have on it a card 6 inches long by 4 inches wide, upon which shall be stated in letters not less than 1 inch high the kind and quantity of its contents; and the consignee shall, before receiving the distilled liquor, wine, or beer, sign a record as herein provided, and shall make an affidavit that the said distilled

liquor, wine, or beer will not be used in violation of the provisions of this act. A certified copy of such record shall be filed with the District commissioners not later than the 5th day of each month for the calendar month preceding. Such commissioners shall keep a public record of such data as herein provided.

No minor or habitual drunkard shall be permitted to order or possess alcoholic liquors in any quantity whatsoever.

And person who shall violate the provision of this section shall be guilty of a misdemeanor and be punished as provided in section 1 of this act.

Mr. BORAH. Is the portion of the amendment which has just been read the portion which the Senator asks to have stricken out?

Mr. SHEPPARD. I withdraw that part of the amendment. I ask that the other part of the amendment be adopted.

The VICE PRESIDENT. The question is on the amendment.

The amendment was agreed to.

Mr. SHEPPARD. Now, Mr. President, I ask that the words on page 2, lines 8, 9, and 10, "import for use or gift, except as hereinafter provided, store, keep, deposit, or give away, except as hereinafter provided," be eliminated.

The VICE PRESIDENT. The amendment proposed by the Senator from Texas will be stated.

The SECRETARY. On page 2 of the printed amendment, beginning in line 8, after the word "sale," it is proposed to strike out the words "import for use or gift, except as hereinafter provided, store, keep, deposit, or give away, except as hereinafter provided."

The VICE PRESIDENT. The question is on the amendment. The amendment was agreed to.

Mr. SHEPPARD. I believe that this concludes my amendments.

Mr. UNDERWOOD. I should like to ask the Senator from Utah [Mr. SMOOT] if he desires to present his substitute before I offer the referendum amendment, so that we may know what bill we propose to refer?

Mr. VARDAMAN. I desire to ask the Senator from Alabama a question. Can not the Senator offer his amendment to either one of these bills?

Mr. UNDERWOOD. Certainly; but I do not care to take two votes on the amendment. If we have to take a vote on the Sheppard bill and the substitute offered by the Senator from Utah [Mr. SMOOT] should prevail, then I should have to have another vote on that proposition. I do not see any use in taking two votes. I had rather have the proposition of the Senator from Utah as a substitute first decided.

Mr. SMOOT. Mr. President, the Secretary has sent for a copy of my substitute amendment. I only had that one copy, and it will be here in a moment. Then, if there is no objection, I shall offer it at this time.

Mr. SHEPPARD. Is not the substitute intended to be proposed by the Senator from Utah on the Secretary's desk?

Mr. SMOOT. I will say to the Senator that the Secretary has just now handed me the substitute.

Mr. CURTIS. Mr. President, if the substitute offered by the Senator from Utah is now being considered, I desire to offer an amendment to it.

Mr. SMOOT. I will ask the Senator from Kansas to withhold his amendment to the proposed substitute for a moment, so that I may make a brief statement as to its provisions.

Mr. BORAH. May I submit a suggestion?

Mr. SMOOT. Certainly.

Mr. BORAH. We have had this measure under consideration here for a couple of days, and I now understand that the Senator from Utah offers an amendment which is a substitute for the entire bill.

Mr. SMOOT. That is true.

Mr. BORAH. That substitute has not yet been printed, and no one will know, except in a most superficial way, what it contains or what it is. I am myself rather desirous of knowing more about it.

Mr. SMOOT. I will say to the Senator from Idaho that I have just had a consultation with the Senator having the bill in charge in regard to the matter.

Mr. SHAFROTH. Why can not the Senator from Utah now explain the purport of his substitute, so that we may understand it better than having it read from the desk?

Mr. BORAH. To explain the purport of a bill without having the bill before one's eyes, without having the print, or without having gone over it at all does not afford very accurate information regarding it.

Mr. SMITH of Georgia. It would mean two or three days' hard work studying it in detail and perfecting it, and we have already gone ahead and perfected another bill to the satisfaction of the Senate. That is the trouble with the suggestion.

Mr. BORAH. It may be that the Senator from Utah has a better bill than that pending, but I do not want to vote for a

bill about which I know nothing, except what will take place here in the next 10 or 15 minutes.

Mr. WEEKS. Mr. President, it seems to me that the bill which has now been perfected should also be reprinted before a vote is taken upon it. I do not believe a half dozen Senators know what is in the bill. I think both bills should be printed and laid before the Senate, so that we may know what we are going to vote upon.

Mr. SMOOT. Mr. President, as I was stating before interrupted, I had asked the Senator having the bill in charge if it were possible to allow the substitute offered by me to be printed, so that Senators might see just exactly what the substitute contains. I myself think that the suggestion of the Senator from Massachusetts is a very wise one, that the bill that is now before the Senate as amended should be printed, so that Senators may see exactly what amendments have been made.

There is no disposition on the part of the Senate to withhold action on the bill; and it seems to me, if the Senator from Texas would allow the bill to go over until to-morrow, in the meantime the substitute may be printed, and we may have the bill as amended printed. Then Senators can see just exactly what the two bills are.

Mr. VARDAMAN. If that be done, would the Senator consent to let this bill retain its present status as the unfinished business?

Mr. SMOOT. Oh, certainly; I think there would be no question about that.

Mr. NORRIS. Will the Senator from Utah yield to a suggestion there?

Mr. SMOOT. Yes; I yield.

Mr. NORRIS. It strikes me that the Senator from Alabama [Mr. UNDERWOOD] might at this time offer his referendum amendment. I presume he is ready to argue the amendment. He might offer it with the understanding that, if his amendment is agreed to, and if afterwards the substitute of the Senator from Utah shall be agreed to, he will then offer it as an amendment to the substitute.

Mr. UNDERWOOD. I have already stated that I did not care to offer my amendment until the form of the bill had been determined on. That is the logical parliamentary way to present the case; and I see no reason why I should present my substitute to the bill until the original bill is perfected.

Mr. SMOOT. I think the Senator from Texas will have no trouble in obtaining unanimous consent of the Senate that the unfinished business be temporarily laid aside. Then we can proceed with the calendar and take up the Senator's bill the first thing in the morning. I assure the Senator that the substitute will be printed and each Senator will have time to read the substitute in detail. I do not think the adoption of my suggestion will delay the passage of the bill. If there were a disposition on the part of the Senate to defeat a vote upon the bill I should not make this request of the Senator, but I have not seen any disposition on the part of any Senator to delay the vote. The bill might just as well pass to-morrow as to-day.

Mr. VARDAMAN. Mr. President, I think there is very much in the suggestion made by the Senator from Nebraska [Mr. NORRIS]. Of course, I am not going to dictate to the Senator from Alabama [Mr. UNDERWOOD] as to when he shall submit his very able speech, which will have the same effect if delivered this afternoon as it would have if delivered to-morrow; but, as a friend of this bill, I desire to say that I am not in favor of taking undue advantage of anyone. I am perfectly willing, so far as I am concerned, that this question should have free and full discussion and that the bill should be proceeded with in the regular parliamentary way. While I have nothing to do with the management of the bill, I desire to state that I am sure the Senator from Texas [Mr. SHEPPARD] feels the same way about it as I do. We want a vote on the bill; we expect to pass it; but we are not in any undue haste in the matter if Senators want more time to consider the bill.

The VICE PRESIDENT. The Chair may be permitted to remark, without interfering with the progress of this negotiation, which is not getting anywhere, that it does not need a call of the Senate to enter into a unanimous-consent agreement to take this bill up at the close of the morning business to-morrow morning. A call is required when it is sought to have a unanimous-consent agreement to proceed to consider a bill to a final vote; but the Senators now present, if they want to do so—and the Chair only interrupted because there seemed to be a different idea—can enter into a unanimous-consent agreement to resume the consideration of this bill immediately upon the close of the morning business to-morrow morning.

Mr. SHEPPARD. Mr. President, what would happen to the bill, then, at 2 o'clock to-morrow?

Mr. SMOOT. It would be the unfinished business.

The VICE PRESIDENT. If it were under consideration, and there should not be anything pending at the close of the business of to-day so as to make that the unfinished business, the pending bill would proceed along as the unfinished business. The Chair understood the suggestion to be to take up the calendar under Rule VIII. Of course, if the calendar is taken up under Rule VIII, nothing can be considered except unobjected bills, so there would not be any other business which would intervene and become the unfinished business. An agreement may be entered into to proceed with the calendar under Rule VIII and at the conclusion of the morning business to-morrow to take up Senate bill 1082. That certainly would avoid any steps being taken to make any other measure the unfinished business.

Mr. SHEPPARD. Mr. President, I have no disposition—

Mr. SMOOT. Just a moment. If the Senator from Texas should ask unanimous consent now to lay the bill temporarily aside, especially if he did so at 2 o'clock, then the bill would be the unfinished business to-morrow.

The VICE PRESIDENT. Provided it were taken up before the adjournment if any other measure were then pending.

Mr. SMOOT. Yes; that is true; and that is why I made the suggestion to the Senator.

The VICE PRESIDENT. It can be accomplished in that way.

Mr. SHEPPARD. I presume that both courses would be equally effective.

Mr. SMOOT. I think so. Whichever the Senator prefers will answer the purpose. It seems to me, however, the easiest way would be to ask unanimous consent that the bill be temporarily laid aside.

Mr. SHAFROTH. I should like to ask the Senator from Utah whether he expects to discuss his amendment?

Mr. SMOOT. I expect to discuss it for perhaps 30 minutes, but not longer than that.

Mr. SHAFROTH. The Senator would not care to proceed this afternoon, so as to get rid of it, would he?

Mr. SMOOT. I would very much prefer that Senators have the proposed substitute before them in printed form. If the bill goes over until to-morrow, more than likely at least those who are interested will read the proposed substitute before the discussion takes place to-morrow after the morning business, and then, I will assure the Senator, that I will not take more than 30 minutes in the discussion.

Mr. SHEPPARD. Mr. President, I have no disposition whatever to resist any suggestion that would lead to a thorough and proper consideration of this measure and of the substitute proposed by the Senator from Utah [Mr. Smoot]. We are all endeavoring to reach the best possible solution of the question under consideration. I intend to make the request suggested. However, before I do that, I shall ask the Senator from Alabama [Mr. Underwood] if it would be agreeable to him, if there is no objection from others, to vote on this bill at 6 o'clock to-morrow.

Mr. UNDERWOOD. No; I do not think it would be agreeable. If the Senator is willing to fix the time for a vote on Monday, I will agree to that. I have no desire to delay the matter.

Mr. VARDAMAN (to Mr. SHEPPARD). Make it 2 o'clock on Monday.

Mr. SHEPPARD. I ask unanimous consent that the final vote on this matter be taken on Monday at 2 o'clock.

The VICE PRESIDENT. That will necessitate a call of the Senate.

Mr. SHEPPARD. I make that request, Mr. President.

Mr. UNDERWOOD. At what time?

Mr. SHEPPARD. I shall change it to 3 o'clock.

Mr. UNDERWOOD. Three o'clock?

Mr. SHEPPARD. Yes.

Mr. SMITH of Georgia. Mr. President, I wish to suggest to the Senator from Texas that his motion be put in the form that we have recently found most desirable, that at the time designated we take up the bill and proceed to vote upon any pending amendment and upon the bill itself to a final conclusion, debate being limited to not more than five minutes upon any amendment.

Mr. SHEPPARD. I make that request.

Mr. UNDERWOOD. With the understanding that my substitute is the pending amendment?

Mr. SHEPPARD. Yes.

Mr. SMOOT. Not the pending amendment now.

Mr. UNDERWOOD. One of the pending amendments.

The VICE PRESIDENT. Let us ascertain what the proposed unanimous-consent agreement is before the Chair orders the roll called.

Mr. SMITH of Georgia. The Secretary of the Senate has the form which we have used frequently.

The VICE PRESIDENT. The Secretary will read it.

Mr. SMITH of Georgia. I may not have used the exact language. I was about to suggest to the Secretary that he put it in the language that we have recently used.

Mr. CURTIS. While the Secretary is preparing the order I should like to present an amendment and have it printed with the amendment offered by the Senator from Utah [Mr. Smoot].

Mr. SMOOT. As an amendment to my proposed substitute?

Mr. CURTIS. As an amendment to the substitute proposed by the Senator from Utah declaring all places where intoxicating liquors are sold to be public nuisances.

The VICE PRESIDENT. The Secretary will read the proposed agreement in order to ascertain whether it is in such form as to express the views of Senators.

The Secretary read as follows:

Mr. SHEPPARD asks unanimous consent that at not later than 3 o'clock p. m., Monday, December 18, 1916, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill, Senate 1082, through the regular parliamentary stages to its final disposition.

Mr. SMITH of Georgia. No; the Secretary has it wrong. There should be a provision as to five minutes' debate upon each amendment.

Mr. HUGHES. I suggest, Mr. President, that the order be amended so as to provide that from 2 o'clock until the vote is taken the five-minute rule shall be applied to the discussion on all amendments.

Mr. SMOOT. Why not from 3 o'clock?

Mr. HUGHES. If we make it 2 o'clock, that will give us an hour to debate amendments under the five-minute rule. Then at 3 o'clock we will proceed to vote upon the bill through all the parliamentary stages to its final passage, and any amendment that has not been considered at that time can not be considered at all. That will give us an hour to operate under the five-minute rule in the consideration of amendments. I suggest that that change be made in the order.

Mr. UNDERWOOD. Mr. President, I want also to have it understood that it will be in order to take up and consider the substitute which I propose to offer not later than 12 o'clock on Monday. I do not know whether the debate will run all day to-morrow on the other amendment. I want to be assured of an opportunity of presenting and having a vote upon the substitute I propose to offer.

Mr. SHEPPARD. That is acceptable to me.

Mr. JONES. Mr. President, there does not appear to be any disposition to unnecessarily delay the passage of this bill. I do not like the idea of fixing a time now for voting upon the bill. The substitute of the Senator from Utah [Mr. Smoot] has not been printed; the bill as it has been amended in very many particulars has not been printed; and I think that all that we ought to do now is to agree to the suggestion that the bill go over until to-morrow, and that it then be taken up after the bill as amended and the various amendments to it have been printed. Then possibly we may reach some understanding, if it seems advisable, as to when a vote shall be taken.

I do not feel that we ought to agree now to fixing a definite time to vote on this bill. The referendum proposition has not been discussed at all, except the debate we had upon it several months ago. That is the crux of the whole matter; and if we agree now to fix a time to vote—we know how discussion goes on in the Senate—the time may be practically all taken on one side or the other, and so, as a friend of the measure, I should now feel constrained to object to fixing a time to vote definitely on the bill.

Mr. SMOOT. Then I suggest to the Senator from Texas that, if that be the case, why not ask that the bill be temporarily laid aside?

Mr. SHEPPARD. Do I understand the Senator from Washington to indicate that he would object to the proposed agreement?

Mr. JONES. I would feel constrained to object at this time.

Mr. UNDERWOOD. I suggest to the Senator from Texas, why not adjourn, and then to-morrow his bill will have the same status that it has to-day?

Mr. SMOOT. That is all right.

Mr. SHEPPARD. Well, Mr. President, before we do that, I ask that the bill be reprinted, showing the amendments which have been adopted.

The VICE PRESIDENT. The Chair would suggest that it be reprinted as amended.

Mr. SHEPPARD. Very well; I ask that it be reprinted as amended.

The VICE PRESIDENT. Without objection, the bill as amended will be reprinted and the proposed substitute of the Senator from Utah [Mr. Smoot] will be printed, together with the amendment to the proposed substitute offered by the Senator from Kansas [Mr. Curtis].

Mr. SMITH of Georgia. I move that the Senate proceed to the consideration of Order of Business 353, being the bill (S. 4060) to limit the effect of the regulation of interstate commerce between the States in goods, wares, and merchandise wholly or in part manufactured, mined, or produced by convict labor or in any prison or reformatory.

Mr. UNDERWOOD. I should like to have an understanding before that is done, Mr. President. I will ask the Senator from Texas if the pending bill has gone over definitely until tomorrow?

Mr. SHEPPARD. I wish to prefer the request that the pending bill be temporarily laid aside, and that we proceed with the calendar under Rule VIII, without prejudice to the bill S. 1082.

Mr. UNDERWOOD. With the understanding that it shall not be taken up again this afternoon.

Mr. SHEPPARD. It may be taken up again at 2 o'clock, but I will say to the Senator that I shall make this same request at that time.

Mr. UNDERWOOD. Well, with the understanding that the bill will not be taken up again this afternoon, I shall not object.

Mr. SMITH of Georgia. It will have to be taken up at 2 o'clock.

Mr. UNDERWOOD. But will not be taken up for consideration or a vote.

Mr. SHEPPARD. I agree to that.

Mr. GALLINGER. Mr. President, I do not know that I understood the motion. The Senator can not make a compound motion that the bill be laid aside.

The VICE PRESIDENT. Without objection, the bill will be temporarily laid aside.

Mr. GALLINGER. There is no objection to that. That is proper.

The VICE PRESIDENT. Now the calendar under Rule VIII is in order.

Mr. GALLINGER. That is right.

Mr. SMITH of Georgia. Mr. President, I withdraw the motion I made to proceed with a particular bill. That would take precedence of the calendar, I having made the motion, but I withdraw it, as the calendar is now to be taken up.

THE CALENDAR.

The PRESIDING OFFICER (Mr. HUGHES in the chair). The Secretary will state the first bill on the calendar.

The first business on the calendar was the bill (S. 609) to aid in the erection of a monument to Pocahontas at Jamestown, Va.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 611) for the erection of a monument to the memory of Matthew Fontaine Maury, of Virginia, was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States conferring upon women the right of suffrage was announced as next in order.

Mr. GALLINGER and Mr. MARTINE of New Jersey. Let that go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The bill (S. 2406) to amend section 162 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911, was announced as next in order.

Mr. SMOOT. Mr. President, my colleague [Mr. SUTHERLAND] is interested in this bill, and he is not present in the Senate Chamber at this time. Therefore I shall ask that the bill be passed over temporarily, at any rate.

The PRESIDING OFFICER. The Chair would like to make a parliamentary inquiry. He has not the bill before him, but thinks it is one in which he is interested. [A pause.] The bill will be passed over.

COST OF LIVING IN THE DISTRICT OF COLUMBIA.

The joint resolution (S. J. Res. 43) authorizing and directing the Department of Labor to make an inquiry into the cost of living in the District of Columbia and to report thereon to Congress as early as practicable was announced as next in order.

Mr. KENYON. Mr. President, a similar resolution was passed at the last session of this Congress, and there is no need of this remaining on the calendar any longer. I move that it be indefinitely postponed.

The PRESIDING OFFICER. Without objection, the joint resolution will be indefinitely postponed.

BILL AND RESOLUTION PASSED OVER.

The bill (H. R. 408) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes, was announced as next in order.

Mr. GALLINGER. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 43) for the appointment of a committee to investigate and inquire into the causes of the existing freight blockade and embargoes on the trunk-line railroads entering into the port of New York was announced as next in order.

Mr. GALLINGER. Let that resolution go over.

Mr. SMOOT. Mr. President, I ask that the resolution be placed under Rule IX. The object of the resolution, of course, is past, and I ask that it be placed under Rule IX.

Mr. GALLINGER. Let the resolution be indefinitely postponed, if the object is passed. [A pause.] Let it remain on the calendar where it is, then.

The PRESIDING OFFICER. The resolution will be passed over.

SERVICE ON POLITICAL COMMITTEES, ETC.

The bill (S. 668) making it unlawful for any Member of Congress to serve on or solicit funds for any political committee, club, or organization, was announced as next in order.

Mr. SMITH of Georgia. Mr. President, there are a number of measures like this pending upon the calendar. It occurs to me that if we should carry them all over to the calendar under Rule IX we will get them off our calendar here, and we would know what we really had to deal with, not only with reference to this but with reference to other measures that are not being seriously pressed. As we come to them, I think if we want to handle this calendar we ought to transfer them to Rule IX and get them off of this calendar, where apparently they are to be pressed.

Mr. PENROSE. Mr. President, I will suggest to the Senator from Georgia that I notice here a number of bills relating to election practices. The Owen bill, so called, has been recommitted. Why would it not be well to recommit these measures for consideration in connection with the whole subject?

Mr. SMITH of Georgia. I think these election matters might very properly take that course.

Mr. CLAPP. Mr. President, as the proponent of some of these bills, at least, I think the suggestion is a very good one, that all these bills relating to campaign and election matters be recommitted to the Committee on Privileges and Elections.

Mr. PENROSE. Then, Mr. President, I move that this bill and the next two bills be recommitted to the Committee on Privileges and Elections. I refer to the bill (S. 665) to codify, revise, and amend the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Representative and Senator in the Congress of the United States, limiting the amount of campaign expenses, and for other purposes, and the bill (S. 669) to limit the use of campaign funds in presidential and national elections.

The PRESIDING OFFICER. Unless there is objection, that course will be taken. The Chair hears none, and it is so ordered.

BILLS, ETC., PASSED OVER.

The bill (S. 1082) to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. That is the bill which was under consideration before the calendar was taken up.

Mr. GALLINGER. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2730) to fix the compensation of assistant appraisers of merchandise, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

MONUMENT TO MATTHEW FONTAINE MAURY.

Mr. MARTIN of Virginia. Mr. President, while I was out of the Chamber the second bill on the calendar—a bill for the erection of a monument to the memory of Matthew Fontaine Maury, of Virginia, was passed over. I ask unanimous consent to return to it. It has been heretofore objected to by the Senator from Utah [Mr. SMOOT]. I understand that he has looked into the matter and no longer has any objection to the consideration of the bill; so I ask unanimous consent to return to it and that it be again taken up.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 611) for the erection of a monument to the memory of Matthew Fontaine Maury, of Virginia.

The bill had been reported from the Committee on the Library with amendments, on page 1, line 3, to strike out "\$50,000" and insert "\$30,000," and, on page 2, line 5, after the words "shall meet the approval," to insert "of the Commission of Fine Arts and," so as to make the bill read:

Be it enacted, etc., That the sum of \$30,000 be, and is hereby, appropriated for the purpose of erecting, on one of the public reservations of the city of Washington, a monument to the memory of Matthew Fontaine Maury, of Virginia, to bear an inscription, with appropriate emblems and devices, such as shall commemorate the work of said Matthew Fontaine Maury during the period of his service as an officer of the United States Navy, connected with the Naval Observatory at Washington, and shall perpetuate his fame as a geographer, a meteorologist, and a discoverer of the laws governing the winds, currents, and routes of the ocean. The design for said monument and the contract for its erection shall be open to public competition, and that proposal shall be accepted which shall meet the approval of the commission of Fine Arts and of the Secretary of the Navy, who shall also select the public reservation in the city of Washington for the site thereof. The total cost of said monument, with foundations and pedestal, shall not exceed the sum hereby appropriated; it shall be finished and dedicated on such day as shall be fixed upon by the Secretary of the Navy, on whose certificate that the work has been duly completed the contract price thereof shall be duly paid, not exceeding the amount appropriated by this act.

The amendments were agreed to.

Mr. SMOOT. Mr. President, I want to say just a word. I have collected the bills that have been offered in this Congress providing for the erection of monuments to different persons in the United States. I have in my desk 67 such bills that have already been offered during this Congress.

Mr. KENYON. Mr. President, I should like to ask the Senator what the amounts aggregate.

Mr. SMOOT. I will say to the Senator that I have not figured up the total, but it runs into the millions, without a question of doubt.

One of the reasons why I have objected to the consideration of this bill in the past was that I thought there ought to be some kind of a policy adopted by Congress as to the erection of monuments to the memory of distinguished men of our country. I am fully aware of the wonderful work accomplished by this distinguished Virginian. He was a very learned man, perhaps more so than men to whose memory we have already erected monuments; but in order that I may be consistent with a number of letters that I have written to citizens of Virginia and other places that have written me in relation to the bill now under consideration I want to say that I thought the letter that was written by M. F. Maury, commander, Confederate States Navy, dated October 29, 1861, to his imperial highness the Grand Duke Constantine, grand admiral of Russia, of St. Petersburg, was an unpatriotic letter and an unjust statement against the Federal Government. I am not going to take the time to read it, nor do I want it placed in the RECORD. I want to say to the Senator from Virginia that I have referred to the Maury letter in answering letters that have been directed to me by citizens of Virginia asking me what my reasons were for objecting to the consideration of the bill.

Mr. President, I shall say no more; but I do believe that we ought at a very early date, if not now, to agree upon some system in regard to the erection by the Government of the United States of monuments to distinguished citizens.

Mr. PENROSE. Mr. President, I should like to ask the Senator from Utah a question. Is this a lengthy letter to this titled gentleman on the other side?

Mr. SMOOT. No; it is not very lengthy; but I will say to the Senator—

Mr. PENROSE. I should be interested in having it read, I think, or put in the RECORD.

Mr. SMOOT. I will say to the Senator that I prefer not to do so now, as I am going to allow the bill to be voted upon, as far as I am concerned. I prefer not to do so at this time.

Mr. President, I will say nothing further at this time. If the Senate wants to vote \$30,000 for the erection of a monument to Maury, well and good; but I want to say again that there are 66 other bills of a similar character to be considered at this session of Congress.

Mr. MARTIN of Virginia. Mr. President, I send to the desk an article taken from Collier's Weekly, dated the 25th of November, 1916, and ask that it be read. It is very brief.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Secretary read as follows:

It may be said that Maury laid the foundation for our modern Weather Bureau, and that the science of meteorology began with him. He founded the National Nautical Observatory and the Hydrographic Office in Washington, and discovered, among other things, the cause of the Gulf Stream, and the existence of that plateau in the North Atlantic Ocean, which, if I am not mistaken, made possible the laying

of the first Atlantic cable. Cyrus W. Field said, with reference to this, "Maury furnished the brains, England the money, and I did the work." Further than this, the charts of the North Atlantic which Maury made years ago are to-day the basis upon which that ocean is navigated by all nations. I am informed that though he was decorated by many foreign Governments, he was never given so much as a cheap little medal by that of the United States, and that his name has not been kept alive by any memorial or other token of his country's gratitude.

Mr. MARTIN of Virginia. Mr. President, I had that read in lieu of making any comment myself on the career of this great scientist. There may be 60 other bills here, but there are not 60 others with regard to men of equal distinction with Commodore Maury. He was one of the great men of this country, a great scientist, and a great naval officer. He was a man who conferred immense benefits on the people of the country.

I will say, furthermore, that the pendency of this bill in Congress has attracted wide attention all over the State of Virginia. It is a matter in which the people feel the deepest interest, and I feel that it is but a very small token of appreciation of a man who rendered the service that I know he rendered.

I hope the Senate will pass the bill.

Mr. THOMAS. Mr. President, I shall not object to the consideration of this bill nor oppose its passage, out of deference to the senior Senator from Virginia. I know that he is very anxious to secure its passage, and has a very deep personal interest in it. Hence, I shall respect his wish, which is grounded upon a conviction of duty to a distinguished Virginian. When the bill was reached at former calls of the calendar I took identically the position of the Senator from Utah with regard to it, as with similar bills. It is always disagreeable to object to the consideration of bills in which other Senators have strong personal interest; and yet if we are to put a check upon our expenditures we must do so, and do so frequently.

The Senator from Utah has referred to a large number of other bills of similar character which have been introduced in this Congress, some of which, I presume, have been reported out, and others may be.

Mr. MARTIN of Virginia. Not one has been reported at this session.

Mr. THOMAS. There is a similar bill immediately preceding this on the calendar.

Mr. MARTIN of Virginia. That came over from the last session.

Mr. THOMAS. Both came over from the last session, so far as that is concerned. I have no doubt that those who introduced them are as interested in securing their passage as the Senator from Virginia regarding this one. And the aggregate amount of their required appropriations, which are in themselves comparatively small, would be a considerable drain upon the Treasury.

Mr. MARTIN of Virginia. If the Senator will excuse me, I will say right here that the other bill to which he refers, which is just before the Maury bill, was introduced by me, and I shall not expect two monuments to Virginians. I will not press that bill if the Maury bill is passed.

Mr. SMITH of Georgia. Let us carry it under Rule IX.

Mr. MARTIN of Virginia. Yes; I shall be very willing to have that done.

Mr. THOMAS. I did not refer to it upon the assumption that it would be pressed, but merely as a bill which belongs to the class of bills to which the Senator from Utah referred, and which has been reported out upon the calendar. It is the aggregate of the amount of these comparatively small bills that tends to produce deficits in the Treasury such as we are now confronting.

Mr. President, during the last session we appropriated a great deal of money for which there was no immediate need; and if we are to judge from the number of bills that have been introduced in both Houses at this session we may be called upon to appropriate a great deal more, notwithstanding the fact that the condition of the Treasury is not such as to warrant it. Until our revenues shall equal, if not exceed, the amount of fixed expenditures that we must meet and provide for, we should not increase our appropriations except where it is absolutely necessary.

But my immediate purpose in speaking upon this matter at all is to outline what I think should be the course of the dominant party and therefore of its members during the next fiscal period, and perhaps indefinitely. There is no doubt but that we are confronting a deficit. What the amount of it is perhaps is not definitely known. If my recollection serves me aright, the Secretary of the Treasury estimates it at something like \$190,000,000. We have another large naval and military program, which the preparedness influences of the country are behind, the adoption of which is confidently anticipated at the present session of Congress, and which, together with our previous Army and Navy appropriations, will increase the amount of that

deficiency unless we enact further revenue legislation, which may or may not be contemplated. I do not know. At any rate, we are now face to face with the necessity either of issuing bonds for the purpose of financing some of our running expenses or of increasing taxation which is already burdensome.

PROHIBITION IN THE DISTRICT OF COLUMBIA.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1082) to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes.

Mr. MARTIN of Virginia. Will the Senator from Texas allow this bill to be temporarily laid aside that we may finish the bill which has been under consideration?

Mr. SHEPPARD. I ask that the bill be temporarily laid aside.

Mr. SMITH of Michigan. Can the Senator from Texas tell us with any certainty when we can reach a vote on this bill?

Mr. SHEPPARD. There has been no agreement as to a time for a vote to be taken.

Mr. SMITH of Michigan. Is it to come up to-morrow?

Mr. SHEPPARD. The bill will come up to-morrow. I hope we may vote upon it at some time to-morrow, but I am not sure that we will be able to do so. I ask unanimous consent that the bill be temporarily laid aside.

Mr. SMITH of Georgia. By temporarily laying the bill aside it will remain the unfinished business upon the calendar to-morrow. In addition to that, I think we have had practically an agreement that immediately at the closing of the morning business to-morrow, before this bill is reached as the unfinished business, we will take it up for consideration. So that means that to-morrow is to be devoted to the consideration of the prohibition bill for the District of Columbia, unless something is done by the Senate to displace it.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none.

Mr. SHEPPARD. I was going to ask further that the calendar be proceeded with without prejudicing the bill.

Mr. MARTIN of Virginia. That will be done.

The PRESIDING OFFICER. That has already been ordered this morning. The calendar will be proceeded with.

MONUMENT TO MATTHEW FONTAINE MAURY.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 611) for the erection of a monument to the memory of Matthew Fontaine Maury, of Virginia.

Mr. THOMAS. Mr. President, I did not observe when I was speaking that the hour of 2 o'clock was approaching, and I assure the Senator from Virginia that I had no purpose of consuming the morning hour so as to prevent favorable action upon the bill.

I was about to say, Mr. President, when interrupted, that it was necessary either to provide a bond issue for the purpose of covering existing and future deficiencies or of increasing our rates of taxation, together, unquestionably, with the enlargement of the objects of taxation that are immediately before us, and for my part I do not like that situation. I am absolutely opposed to a bond issue under any circumstances unless it becomes absolutely unavoidable, and I do not think it is. I believe in the old-fashioned doctrine that we should pay as we go, and that the imposition of direct taxes is one of the best ways of insuring economy of administration, not only because legislators will under that system shrink from extravagances which otherwise they easily assume, but because also under that system the discontent of the people will be aroused and prompt them to observe how their money is expended, a condition which must lead to economies otherwise impossible.

So at the next session—possibly at this session—the Congress must determine whether it will continue our present method of expenditures and meet deficiencies by a bond issue or by increased taxation, which, to my mind, is one of the most serious situations that confronts the party in power, or practice that strict frugality in public administration which good government always demands.

I am sorry that I am unable to observe any evidence of an economical spirit in either House or on either side of either House. I noticed on the first day of the session that about 213 private bills were introduced in the House of Representatives, all but two or three of which were for pensions or for increase of pensions, whose aggregate amount, like that of other small appropriations, will impose a very considerable added burden upon the Treasury.

But I have noticed that while we are all here ostensibly in favor of economy, when it comes to pension bills nobody seems

to want either to reduce their number or to confine the applicants to general laws or to oppose the enactment of any special bill whatever.

I believe that the retrenchment to which I have directed my remarks should apply all along the line, and that we should not make exceptions in any direction if we are to accomplish what must be accomplished, if we are to prevent an increase, and a very serious increase, of taxation, or the enlargement of our national indebtedness. So after this session shall have expired, if I should live so long, it is only fair to say now that I shall feel it my duty to interpose, as far as I can, such objections as may be tenable and as may be consistent with the procedure of the Senate to the promiscuous and needless appropriation of the public revenues to objects which are private in character or not essential to the due administration of public affairs. And I sincerely trust and confidently expect to have the cordial cooperation of my fellow Democratic Senators at least.

Mr. SMITH of Georgia. Mr. President, I was on the point of rising just as the Senator from Colorado [Mr. THOMAS] rose for the purpose of expressing very much the same line of thought as that which he has presented to the Senate. The time has come when it is absolutely essential that we should appropriate no money for any purpose that we are not compelled at this time to provide for. Our naval appropriations for 1917, already made, our plans for a naval expenditure, coupled with our military plans for expenditure, will necessitate a large amount of increased revenue or else a bond issue. Our present revenue laws will not meet the tax upon the Treasury for the fiscal year 1916 unless we curtail expenditures, and even then it will be necessary to raise some additional revenue.

I think the way to begin to economize is to stop appropriating money anywhere for anything that is not necessary now. The responsibility will be on the Finance Committee to help raise the revenue. The responsibility is on the Appropriations Committee to cut off every increased appropriation and lessen some which we have already made where it can be done.

I do not believe that any such important problem will be in front of us in the near future as the curtailment of expenditures, and the increase of revenue for our plans of military preparedness will require substantially more money than our present plan of revenue will raise.

I would not vote for even this \$30,000. I am in favor of putting under Rule IX the bill just above it and each other provision for a statue as we reach it. Of course, it looks like a small matter, but unless we begin in small matters we will not save in large ones. I am in favor of appropriating no money at this session that is not absolutely necessary.

Mr. MARTIN of Virginia. Mr. President, I do not think I am unreasonable or inaccurate when I say that I think I have done as much to keep down useless appropriations as any Senator in this body. I have been in a continuous conflict since I have been the chairman of the Appropriations Committee with efforts that are from time to time made to put extravagant appropriations on the statute books. I will continue my efforts on that line, and I will be very much surprised if this session passes without my finding it necessary to take issue with the two Senators who have seen fit to oppose a little \$30,000 appropriation to do honor to one of the greatest men who ever lived in the United States. I am in full accord—

Mr. THOMAS. If the Senator will permit me, I think I stated distinctly that I was not opposed to the bill of the Senator from Virginia.

Mr. MARTIN of Virginia. I thank the Senator very much.

Mr. SMITH of Georgia. I stated also that I would not oppose it, but wished—

Mr. MARTIN of Virginia. I thought the Senator from Georgia opposed it.

Mr. SMITH of Georgia. I stated that I was opposed to all such bills. I did not intend to oppose this one, although I did not intend to vote for it.

Mr. MARTIN of Virginia. I thank the Senator.

Mr. SMOOT. The Senator knows my position.

Mr. MARTIN of Virginia. I understand the Senator from Utah, and I will not prolong my remarks. I was under a misapprehension. This is a very small matter and it is doing some honor to one of the great men of the country. I am glad to hear that the Senator from Colorado and the Senator from Georgia will unite with me in having it passed.

Mr. SMITH of Georgia. I understand that in my remarks I said I would vote against this measure. I must have expressed myself unfortunately. I meant to say I would not vote for the measure, but did not intend seriously to oppose it.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MONUMENT TO POCAHONTAS.

Mr. SMOOT. I ask unanimous consent that Senate bill 609 to aid in the erection of a monument to Pocahontas at Jamestown, Va., be transferred to the calendar under Rule IX.

Mr. MARTIN of Virginia. I have no objection to that.

The PRESIDING OFFICER. Without objection, it is so ordered.

INVESTIGATION OF FREIGHT BLOCKADE.

Mr. SMITH of Georgia. I think that Order of Business 63, Senate resolution 43, for the appointment of a committee to investigate and inquire into the causes of the existing freight blockade and embargoes on the trunk-line railroads entering into the port of New York, should be gotten off this calendar.

Mr. SMOOT. I asked that that be done.

Mr. SMITH of Georgia. Has it been done?

Mr. SMOOT. I asked that it be transferred to Rule IX and the Senator from New Hampshire [Mr. GALLINGER] objected.

Mr. SMITH of Georgia. Putting it on the calendar under Rule IX simply gets it off this calendar. By motion it can still be taken up.

Mr. SMOOT. I will say to the Senator that not only has the object passed but the Interstate Commerce Commission made a most thorough and exhaustive investigation of this very subject matter, and we have that investigation now printed much more fully than the committee of the Senate would do; and it would be perfect nonsense to consider the resolution at this time.

Mr. SMITH of Georgia. Let us put it on the calendar under Rule IX by motion. I move that it be placed under Rule IX.

The PRESIDING OFFICER. The Senator from Georgia moves that Order of Business 63 be placed on the calendar under Rule IX. Without objection, it will be so ordered.

BUSINESS PASSED OVER.

The next business on the calendar was Senate resolution 7, providing that any Senator upon his own request may be recorded and counted as present in order to constitute a quorum.

Mr. GRONNA. Let that go over.

The PRESIDING OFFICER. It will go over.

The next business on the calendar was Senate resolution 20, for the appointment of a committee of Senators to examine into questions relating to the acquisition or construction of manufacturing plants to supply the Army and Navy with arms, armament, etc.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. It will go over.

RELIEF OF FIRE INSURANCE COMPANIES.

The bill (S. 1428) to reimburse certain fire insurance companies the amounts paid by them for property destroyed by fire in suppressing the bubonic plague in the Territory of Hawaii in the years 1899 and 1900 was considered as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That the sum of \$85,975 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay to the Trans-Atlantic Fire Insurance Co., \$9,500; Prussian National Fire Insurance Co., \$2,850; North German Fire Insurance Co., \$8,000; Hamburg-Bremen Fire Insurance Co., \$10,450; Royal Insurance Co., \$25,100; Liverpool & London & Globe Insurance Co., \$6,900; New Zealand Insurance Co., \$6,025; Fireman's Fund Insurance Co., \$9,250; National Fire Insurance Co., of Hartford, Conn., \$4,150; Caledonian Insurance Co., of Edinburgh, Scotland, \$750; North British Mercantile Insurance Co., \$3,000; the aforesaid sums being the amounts paid by each of the said companies on account of insurance against fire on property in the Territory of Hawaii, which property was destroyed by the Government in the suppression of the bubonic plague in said Territory in the years 1899 and 1900.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PROCEDURE IN COURTS.

The bill (S. 3551) relating to the procedure in the United States courts was announced as next in order.

Mr. HOLLIS. There has been some disagreement among the friends of this bill, but those disagreements have been reconciled. I think, however, the bill should not be passed in the absence of the Senator from New York [Mr. O'GORMAN]. I therefore ask that it may go over.

The PRESIDING OFFICER. The bill will go over.

STATUE OF JAMES BUCHANAN.

The next business on the calendar was the joint resolution (S. J. Res. 93) authorizing the erection on the public grounds

in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The joint resolution will go over.

PUBLIC PRINTING.

The bill (S. 1107) to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications was announced as next in order.

Mr. SMOOT. It will be impossible to consider that bill under the five-minute rule, but I want to give notice now that at the first opportunity, if the chairman of the committee does not do it, I am going to move to take up the bill for consideration. This is a bill that will save to the Government of the United States \$800,000 a year in its printing. The whole object of the resolution that was passed by the Senate this morning, offered by the Senator from Iowa [Mr. KENYON], can be attained by the passage of this bill. I hope when the time comes Senators will take up this bill and pass it. It ought to be done, and it should have been done before.

The PRESIDING OFFICER. The bill will go over.

BILLS, ETC., PASSED OVER.

The bill (S. 645) to provide for the closing of barber shops in the District of Columbia on Sunday was announced as next in order.

Mr. CLAPP. Let that go over.

The PRESIDING OFFICER. It will go over.

The next business on the calendar was Senate resolution 107, relative to leasing of Osage oil lands.

Mr. GRONNA. Let that go over.

The PRESIDING OFFICER. It will go over.

The bill (S. 1100) to pay the balance due the loyal Creek Indians on the award made by the Senate on February 16, 1903, was announced as next in order.

Mr. GRONNA. Let that go over.

Mr. SMOOT. Let it go over.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 1096) to provide for carrying into effect of the agreement between the United States and the Muskogee (Creek) Nation of Indians ratified by act of Congress approved March 1, 1901, and supplemental agreement of June 30, 1902, and other laws and treaties with said tribe of Indians was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will go over.

RELIEF OF MAIL CONTRACTORS.

The bill (S. 3927) for the relief of the legal representatives of Francis Busch, deceased, was announced as next in order.

Mr. SMOOT. There are some 12 or 14 relief bills, beginning with this Order of Business 234, reported from the Committee on Post Offices and Post Roads. There is a general bill here covering all these individual bills, which is Order of Business 638, the bill (H. R. 11150) for the relief of mail contractors. That bill was reported by the Senator from Mississippi [Mr. VARDAMAN] from the Committee on Post Offices and Post Roads.

I remember 14 years ago going over all these individual bills. The general bill to which I have referred, I think, has passed the Senate once. I want to say frankly I do not believe the bill ought to pass, but the department has reported favorably upon it. These bills were introduced in the Senate years and years before I came to this body. I think all these individual bills ought to be indefinitely postponed, and House bill 11150 ought to be considered by the Senate, for House bill 11150 covers them all. I will ask the Senator from Florida [Mr. BRYAN], the chairman of the Committee on Claims, if he will not make that motion now?

Mr. BRYAN. The bills came from the Committee on Post Offices and Post Roads.

Mr. SMOOT. I will say that the bills have been before the Committee on Claims so many times I was thinking of them at the moment as being still there. However, the chairman of the Committee on Post Offices and Post Roads is not present. Therefore I will ask that all these relief bills be passed over, and in the meantime I shall see the chairman of the Committee on Post Offices and Post Roads and ask him to have them indefinitely postponed and allow the Senate to pass upon House bill 11150, for the relief of mail contractors.

Mr. PENROSE. That does not deprive any Senator of his rights to object to the consideration of that bill.

Mr. SMOOT. Not at all. I will say to the Senator from Pennsylvania that there are the same names in the omnibus bill that are enumerated in these private-claims bills.

Mr. PENROSE. I understand that fully. I agree with the Senator from Utah that none of them ought to pass.

The PRESIDING OFFICER. Without objection, then, Order of Business 234, Senate bill 3927, will be passed over.

BILLS PASSED OVER.

The bill (S. 4418) to establish game sanctuaries in national forests, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. It will go over.

The bill (S. 4884) for the relief of the estate of A. B. Denton was announced as next in order.

Mr. SMOOT. I ask that this bill and the following bills, House bill 8592, House bill 9291, House bill 9458, House bill 9459, House bill 9553, House bill 9556, House bill 9635, House bill 5986, House bill 10933, and House bill 3447, be passed over.

Mr. SMITH of Georgia. Why not put them on the calendar under Rule IX?

Mr. SMOOT. I think they ought to be indefinitely postponed, because they are all included in House bill 11150, to which I referred.

The PRESIDING OFFICER. Without objection, the bills will go over.

The bill (S. 1065) to provide for summer residence homesteads, and for other purposes, was announced as next in order.

Mr. THOMAS. Let that go over.

The PRESIDING OFFICER. It will go over.

The bill (S. 5126) giving the consent of the United States for the bringing of certain suits in the Supreme Court of the United States, and for other purposes, was announced as next in order.

Mr. WORKS. Let that go over.

The PRESIDING OFFICER. The bill will go over.

The bill (H. R. 54) to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China was announced as next in order.

Mr. SMITH of Georgia. Let that go over.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 4086) to provide for the care and treatment of persons afflicted with leprosy and to prevent the spread of leprosy in the United States was announced as next in order.

Mr. THOMAS. Let that go over.

The PRESIDING OFFICER. The bill will go over.

VOLUNTEER OFFICERS' RETIRED LIST.

The bill (S. 392) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes, was announced as next in order.

Mr. BRYAN. Let the bill go over.

The PRESIDING OFFICER. It will go over.

Mr. TOWNSEND. Mr. President, I have tried on many an occasion to secure a consideration of this bill. I have tried to do it without delaying the action of the Senate. I have been willing at all times to take a vote on it without discussion. It has been on the calendar for several years. Therefore I move, notwithstanding the objection, to take up the bill, and pending that I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Oliver	Smoot
Bankhead	Hughes	Overman	Sterling
Borah	Husting	Page	Sutherland
Brady	James	Penrose	Thomas
Bryan	Johnson, Me.	Poinexter	Thompson
Chilton	Johnson, S. Dak.	Pomerene	Tillman
Clapp	Jones	Robinson	Townsend
Clark	Kenyon	Shafroth	Underwood
Culberson	La Follette	Sheppard	Wadsworth
Fernald	Lee, Md.	Shields	Warren
Gallinger	Lodge	Simmons	Watson
Gore	McCumber	Smith, Ariz.	Weeks
Gronna	Martine, N. J.	Smith, Ga.	Works
Hitchcock	Norris	Smith, Md.	

Mr. POMERENE. I was requested to announce the unavoidable absence of the senior Senator from Oregon [Mr. CHAMBERLAIN] because of official business, and of the junior Senator from Oregon [Mr. LANE] because of illness.

Mr. HOLLIS. I have been requested by the Senator from Mississippi [Mr. VARDAMAN] to state that he is absent on official business and is paired.

Mr. CHILTON. I was requested to announce that the Senator from Mississippi [Mr. WILLIAMS], the Senator from Illinois [Mr. LEWIS], the senior Senator from Louisiana [Mr. RANS-

DELL], and the junior Senator from Louisiana [Mr. BROUSSARD] are absent on account of illness.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. A quorum of the Senate is present.

Mr. SMITH of Georgia. Mr. President, I am under the impression that this motion is in order, because I believe we are proceeding under Rule VIII, without any unanimous consent that the call should be limited to unobjected cases. Is that not true?

Mr. SMOOT. That was not the request, I will say to the Senator. The calendar came up in regular order when the unfinished business was temporarily laid aside, and the Presiding Officer said, "The calendar under Rule VIII is in order." Therefore, the motion made by the Senator from Michigan [Mr. TOWNSEND] is in order.

Mr. SMITH of Georgia. That was my view of it. For that reason I made no point that the motion was out of order, because I was under the impression that we had proceeded generally under Rule VIII without limitation, which makes the motion in order.

I wish very much that the Senator from Michigan would not press his motion. I suggest that it would not be possible to reach any result from the motion if the bill be taken up to-day. I do not believe we could possibly complete the discussion of the matter to-day. I have quite a large amount of material which I desire to present to the Senate in connection with it.

Mr. GALLINGER. If the Senator will permit me, I desire to say that a few days ago when the Senator from Georgia had a bill on the calendar which he desired very much to have considered he was very insistent on proceeding with its consideration. Why not proceed with the consideration of this bill?

Mr. SMITH of Georgia. Certainly, if the Senate desires to do so, it can.

Mr. TOWNSEND. Mr. President, I would be very glad to accommodate the Senator from Georgia. I have never asked anything unreasonable for this bill. I think the Senator understands that about a half dozen Senators—not to exceed that—are opposing this bill and preventing a vote, and they have been doing so for years. I think that is unfair and unjust. If the Senate to-day will agree upon a date in the future when this bill may be taken up and voted upon, I am perfectly willing to fix that date to-day. I am very willing, indeed, that we shall fix a date upon which to vote. I certainly do not want to deprive the Senator from Georgia of making any argument against the bill which he may desire to make.

Mr. SMITH of Georgia. Mr. President, the Senator from Michigan misunderstood me if he thought I supposed he would try to prevent me. What I meant to say was that a little later on I should leave the Senate and go and get the material that I prepared at the last session of Congress to use against this measure. I think I have that material within reach. I shall then return to the Senate a little later on, if the bill is taken up. I believe I can procure my material; I think I know where it is; and I think I can quite promptly get the material that I desire to present to the Senate against this measure.

Mr. TOWNSEND. Mr. President, does the Senator from Georgia object to fixing a date to vote on this bill in the near future?

Mr. SMITH of Georgia. I would, of course, rather the bill should not be voted upon at all. I will be frank with the Senator. I do not think it is right to spend this \$10,000,000. I look upon it practically as a bounty to these gentlemen, without any excuse.

Mr. TOWNSEND. There is no proposition for even the expenditure of a third of \$10,000,000.

Mr. SMITH of Georgia. But if the Senate want to do it and if the House of Representatives want to do it, they have the right to do it. I have made up my mind that, after presenting the reasons which influenced me against the measure, I shall not resort to any dilatory means to try to keep the bill from being voted upon. I do not believe it is right; but if the Senate wants to vote for the bill I shall not try to obstruct it. So far as I am concerned, I am willing to let the Senator name a time when we shall vote on the bill. The Senator put it to me, and I act upon it without reflection, but the responsibility is on the Senate and the House of Representatives. If they want to vote this money, I do not think the opposition of a dozen men who differ from the balance of the Senate, if they can not convert the balance, ought to stop the bill from becoming a law. However earnestly I may desire the bill defeated, if I am in a small minority, I am unwilling by obstructive measures to check it. I shall not be in the way of preventing this measure

coming to a vote after I have presented such reasons as I have against it.

Mr. JONES. Mr. President, I raise the point of order that this motion is not debatable.

Mr. SMITH of Georgia. A motion to take up a bill after 2 o'clock is debatable.

The PRESIDING OFFICER. After 2 o'clock such a motion is debatable.

Mr. WARREN. Mr. President, I do not propose to debate the merits of this bill, but I merely wish to say that I think the Senator moving its consideration is entitled to have its present consideration or to have a time named when the bill shall be considered.

The bill is one which has been repeatedly reported favorably from the Committee on Military Affairs. The amount involved is not, in my judgment, anywhere near half what the Senator from Georgia [Mr. SMITH] has stated. It is a bill which should have the right of way for consideration.

Mr. TOWNSEND. Mr. President, I think perhaps we had better vote to take up this bill if we are going to take it up. When that shall have been done, I shall make a proposition immediately to the Senator from Georgia as to a day when it shall be considered and voted upon. Therefore I ask for a vote on my motion now.

The PRESIDING OFFICER. The question is on the motion of the Senator from Michigan to take up Senate bill 392, which is known as the volunteer officers' retired-list bill.

Mr. SMITH of Georgia. I call for the yeas and nays on the motion.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CATRON (when his name was called). I am paired generally with the Senator from Oklahoma [Mr. OWEN]. He being absent, I withhold my vote. If I were privileged to vote, I should vote "yea."

Mr. CHILTON (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Tennessee [Mr. LEA] and vote "yea."

Mr. CLAPP (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. I transfer that pair to the junior Senator from North Dakota [Mr. GRONNA] and vote "yea."

Mr. CLARK (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. In the absence of that Senator, and not knowing how he would vote if present, I withhold my vote.

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from New York [Mr. O'GORMAN]. That pair, however, has not been a hard-and-fast agreement, and while I ordinarily observe it, I feel at liberty to vote on this motion, and I vote "yea."

Mr. McLEAN (when his name was called). I have a general pair with the senior Senator from Montana [Mr. MYERS], but I understand that if he were present he would vote as I am about to vote. I therefore vote. I vote "yea."

Mr. OLIVER (when his name was called). I have a general pair with the Senator from Oregon [Mr. CHAMBERLAIN], but as that Senator reported the bill, which it is now moved to take up, and presented a very able statement in its favor, I feel free to assume that I am entitled to vote on this motion notwithstanding the pair. I therefore vote. I vote "yea."

Mr. PENROSE (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS], and, as that Senator is absent, I will withhold my vote. Were I permitted to vote, I should vote in favor of the pending motion.

Mr. SMITH of Maryland (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. In his absence I withhold my vote.

Mr. STERLING (when his name was called). I have a general pair with the Senator from South Carolina [Mr. SMITH], and therefore withhold my vote. If I were privileged to vote, I should vote "yea."

The roll call was concluded.

Mr. CLAPP (after having voted in the affirmative). When my name was called, because of the absence of my pair, the Senator from North Carolina [Mr. SIMMONS], I transferred the pair to the junior Senator from North Dakota [Mr. GRONNA]. Subsequently the Senator from North Dakota came into the Chamber, which would have necessitated the withdrawal of my vote, but subsequent to that the senior Senator from North Carolina appeared and voted. I therefore allow my vote to stand.

Mr. ASHURST. I wish to announce that the Senator from Delaware [Mr. SAULSBURY] is unavoidably absent on the busi-

ness of the Senate. He is paired with the junior Senator from Rhode Island [Mr. COLT].

Mr. KIRBY. I desire to announce that my colleague [Mr. ROBINSON] is absent on account of illness.

Mr. SMITH of Georgia. I have been requested to state that the junior Senator from Georgia [Mr. HARDWICK] is absent on account of sickness to-day. He is paired with the Senator from Kansas [Mr. CURTIS].

Mr. CURTIS. I have a general pair with the Senator from Georgia [Mr. HARDWICK], which I transfer to the Senator from Oregon [Mr. CHAMBERLAIN] and vote "yea."

While on my feet I desire to announce the absence of the Senator from Illinois [Mr. SHERMAN] on account of sickness. He is paired with the Senator from Louisiana [Mr. RANDELL]. I also announce the following pairs:

The Senator from Delaware [Mr. DU PONT] with the Senator from Kentucky [Mr. BECKHAM];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN]; and

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD].

The result was announced—yeas 44, nays 12, as follows:

YEAS—44.

Ashurst	Gronna	Lodge	Sheppard
Bankhead	Hitchcock	McCumber	Smith, Mich.
Borah	Hollis	McLean	Smoot
Brady	Husting	Martine, N. J.	Sutherland
Brandeggee	Johnson, Me.	Nelson	Thompson
Chilton	Johnson, S. Dak.	Norris	Townsend
Clapp	Jones	Oliver	Wadsworth
Cummins	Kenyon	Page	Warren
Curtis	Kirby	Pittman	Watson
Fernald	La Follette	Polinder	Weeks
Gallinger	Lee, Md.	Shafer	Works

NAYS—12.

Bryan	Hughes	Overman	Smith, Ariz.
Culberson	James	Shields	Smith, Ga.
Gore	Martin, Va.	Simmons	Swanson

NOT VOTING—40.

Beckham	Goff	O'Gorman	Smith, Md.
Broussard	Harding	Owen	Smith, S. C.
Catron	Hardwick	Penrose	Sterling
Chamberlain	Kern	Phelan	Stone
Clark	Lane	Pomerene	Thomas
Colt	Lea, Tenn.	Ransdell	Tillman
Dillingham	Lewis	Reed	Underwood
du Pont	Lippitt	Robinson	Vardaman
Fall	Myers	Saulsbury	Walsh
Fletcher	Newlands	Sherman	Williams

So, the motion of Mr. TOWNSEND was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 392) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes, which had been reported by the Committee on Military Affairs with amendments.

Mr. TOWNSEND. Mr. President, did I understand the Senator from Georgia to say that he desires more time than will be afforded this afternoon to discuss this bill?

Mr. SMITH of Georgia. I will not occupy that much time. I said I thought more time would be taken, but I may be mistaken about that. I do not know what time will be taken.

Mr. TOWNSEND. I would like very much to proceed this afternoon if we can do so. At the same time I would like to accommodate the Senator by fixing a day certain to vote, if that would be an accommodation.

Mr. SMITH of Georgia. Well, I think I can speak a while until the Senator from Florida [Mr. BRYAN] gets ready, and I think I can complete my preparation while he is occupying the attention of the Senate.

Mr. President, I send to the Secretary's desk a letter which I received a day or two ago with reference to this matter and ask to have it read by the Secretary.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

1302 TAYLOR STREET, SAN FRANCISCO, CAL.,
December 4, 1916.

HON. HOKE SMITH,
United States Senate, Washington, D. C.

SIR: There is now before Congress a bill (S. 392) (H. R. 386) known as the "Retired volunteer officers' bill," on which a vote is now pending in the United States Senate, but which has been postponed from time to time, by reason of objection of Senators.

I am writing to you to ask that if this bill ever comes up for passage, you will vote against it. I ask this as an old soldier, who is vitally interested, and therefore has a right to a candid hearing.

I am opposed to this bill; so vehemently opposed to it that I can hardly speak calmly about it; nor can I understand how it is that the great body of the Grand Army of the Republic, and the greater

body of veterans of the Civil War, can be so silent, or apathetic—unless, indeed, they do not understand.

Up to the time that this stupendous piece of treachery was concocted, all veterans "stood together" and were loyal to each other, seeking legislation for the common good. Now, the comparatively small percentage who wore shoulder straps have thrown down their comrades and are seeking to make laws greatly to their own advantage, which is "class legislation."

Most of them are already receiving the highest pensions paid under present laws, viz. \$30 per month. Not content with this, which is often double what humbler comrades of the rank and file are getting, they have the hardihood to project a scheme, the logic and language of which is: "To h—l with the old soldier, let him go to the home and eat beans, so we can get a retired officers' pay of \$100 to \$150 per month—live like retired gentlemen and throw bouquets at ourselves for our astuteness." A dastardly desertion and betrayal of the men they once honorably stood with.

As a basis and proof of my premises and prayer, I offer the following facts:

The present pension bill (Sherwood) takes into account two things—age and service—and these are, and must be, the only true foundation for all claims. Let us examine.

Have the proponents of this bill any advantage, or disadvantage in years, which needs special compensation?

None whatever. This is obvious to everybody, without argument.

Their claim, then, must rest on the assumption of "superior service." Let us see.

The company to which they belonged was recruited in the neighborhood or town where they had been schoolboys and had grown up together. When the company was full an election of officers was held. Always two or more tickets, but one successful candidate for each position—a captain and two lieutenants—not more than a shade smarter than the defeated candidates.

Being promoted to these positions they now enjoy the distinction, the honors, the authority, which accompany them.

What did they bring to these positions?

Any superior education or preparation? None whatever.

Any acquaintance with tactics? None.

Any knowledge of strategy? None.

Any familiarity with military engineering? None.

Any understanding of problems of transportation? None.

Anything about subsistence? Nothing.

Anything about clothing or sanitation? Nothing.

Anything about the school of the soldier? Nothing.

No years, or even days, were ever spent in study at a military school.

Not a dollar was ever paid as the price of qualification.

We each bought "Hardee" and began the "School of the Soldier" together.

Did they march farther or faster than their neighbor boys? They did not.

Did they endure hardships more severe than their schoolmates? They did not.

Did their counsels overcome the mighty combinations of treason? They were not asked.

Like the rest of us, they simply obeyed orders.

We stood in line while we could and ran when we had to.

As sprinters they were a good company average. When taken prisoners they were first to be exchanged.

What, then, did they do during the war which justifies this claim? Nothing.

They were abundantly paid; they thought so themselves, then.

What have they done since? Nothing.

They have enjoyed the savings of those years. They followed their own interests untroubled by "orders" or "service," and 90 per cent of them have for 50 years occupied the best positions in civil life.

On what, then, in God's name, are they resting their preposterous claims?

On the ghost of an old service, exhumed after 50 years, dusted off and revalued by a committee of interests and pressed with insulting effrontery upon a patient and long-suffering Congress.

The weapons are untrue assumptions, illogical arguments, specious reasoning clouding the real issue, and astounding and impudent persistence.

The retired Army officer spent his whole life, until his years retired him, in the service of his country.

The Volunteer officer never gave his years to the service of his country; he never was "retired"; he was mustered out with the rest of us and has followed his own sweet will as a civilian for 50 years, untrammelled by "orders," and has been at the "pie counter" most of the time.

Honorable sir, I carried, when fully equipped, about 45 pounds; the captain about one-ninth as much, and had a trunk and transportation for the rest.

My Belgian rifle weighed 14 pounds, exclusive of ammunition; his beautiful sword, one-ninth as much.

For this service I received \$13 per month; he received nine times that amount and garnered the honors—and feminine smiles—"When knighthood was in flower."

He was fully paid when in service; when that ceased his claim ceased as completely and permanently as mine.

If he has further claim, so have I, and not in ratio of 1 to 9 but equal.

Let me beseech you, in the name of fair dealing, to vote against and defeat this bill.

H. B. WORCESTER.

Company B, Eighteenth Wisconsin Volunteer Infantry.

Mr. SMITH of Georgia. Mr. President, I must admit that this letter from this private soldier appeals to me, and I should think it would appeal to every fair-minded man and unprejudiced Senator.

Mr. KENYON. Mr. President, I should like to inquire if this letter was addressed to the Senator, or is it a general letter?

Mr. SMITH of Georgia. No; it is addressed to me. I have not the pleasure of knowing this citizen of Wisconsin. This letter came to me through the mail unsolicited and unexpected. At first I thought I should perhaps hand it to one of the Senators from Wisconsin.

Mr. TOWNSEND. Did it ever occur to the Senator that the writer must have been very ignorant, if he had any doubts about the position of the Senator from Georgia on this bill?

Mr. SMITH of Georgia. Well, he was right in thinking that he need have no doubt about my position. He probably supposed I was not able to present a strong enough argument, and he certainly has given a most excellent one himself. I finally did not hand it to a Senator from Wisconsin, because I saw that the letter came from San Francisco. This brave and patriotic citizen has moved farther West; but I should like to commend to the Senate the argument he makes.

I understand how difficult it is for a Senator to vote against an organization that exists in his State. It is a formidable thing to do when a considerable sized organization exists in your State of a semipolitical character. When you vote against it the people in whose interest you vote say you have done your duty and do not care, but the organization holds you up forever afterwards. You simply "go up against it" politically, and it is not a very inviting position to occupy from the standpoint of personal political interest to vote against an organization of this kind.

These officers, no doubt, are men of influence in their communities; they have a following, and they can line up against a Senator or a Member of the House who votes against them, and make their political influence a serious hindrance to his political preferment; but if anyone had—I started to say the courage to go to the balance of the people and expose this measure—if he would go to the balance of the people and use the letter from this private and show the almost inexcusable discrimination that is being made in favor of these officers by this enormous bounty proposed to be taken from the Treasury by this bill and given them practically for nothing, I would have no fear that the better judgment and the real patriotism of a constituency would silence such clamors.

I know that at first it is troublesome. I have had a little experience with it myself, and I know these old men are not reasonable. During my first term as governor I found that the Confederate veterans, to whom we paid pensions out of the State treasury of Georgia, were paid their pensions in advance in February. That was not a time when the treasury was full, and it was quite embarrassing to do it. So I recommended, and succeeded in having passed, a bill dividing up the payments, thus making it easier for the State. Well, hundreds of those old fellows marched up and voted against me at the next election, charging me with having kept them out of their money. It was unreasonable conduct on their part; but they have reached such an age that many of them do not listen, as they would when younger, to reason. The best information that I could get was that this bill would cost the Treasury about \$10,000,000 a year. To pension men without regard to the length of their service, as I understand the bill—

Mr. TOWNSEND. They must have served at least six months. They must have served two years or more if they get the maximum provided under the bill.

Mr. SMITH of Georgia. What is the maximum?

Mr. TOWNSEND. The highest possible pay that any officer could receive, whatever his rank may be, would be three-fourths of the pay of a captain. A captain's pay is \$2,400 a year.

Mr. SMITH of Georgia. Eighteen hundred dollars a year.

Mr. TOWNSEND. That is the highest possible pay that could be obtained by any officer; and there are very, very few of those.

Mr. SMITH of Georgia. And what is the lowest?

Mr. TOWNSEND. One-half of the pay accorded the rank that such officer receives to-day. For instance, the maximum pay of a second lieutenant would be one-half of the pay of a second lieutenant in the Regular Army to-day.

Mr. SMITH of Georgia. That would be about \$1,000.

Mr. TOWNSEND. Eight hundred and fifty dollars.

Mr. SMITH of Georgia. Has the amount of the pay per person been reduced since the bill was first introduced?

Mr. TOWNSEND. Not the amount to be paid to each officer, no; but the total amount carried by the bill has been reduced at least one-half on account of deaths.

Mr. SMITH of Georgia. Yes; it would be reduced somewhat, of course, naturally. I do not like to put myself in the attitude of opposing pay to these men, as I know I have not anything but the kindest feelings for them; but probably each one of them has already received three or four thousand dollars in pensions. I made an estimate, I think a couple of years ago, when this bill was pending, and the best information I could work out was that these men had averaged over \$4,000 apiece from the Treasury.

Mr. TOWNSEND. I do not think it can be possible that that is true, Mr. President. As the Senator knows, since the

act of 1890 there has been no additional pay or pension granted to a soldier because he was an officer. Congress then reduced to a level all of the pensions granted to the soldiers under the age-limit system, and most of these pensions have been very small up to the present time. Of course, the officers now are averaging probably 78 to 80 years old. I think that is probably true. They would therefore be getting under the present age law from twenty-five to thirty dollars a month; but, of course, that amount will be deducted, or, rather, the total amount carried by this bill should be reduced by the amount of pensions now received by the officers, in order to determine the additional appropriation required.

Mr. SMITH of Georgia. Can the Senator give me the average pension that a captain receives?

Mr. TOWNSEND. He gets the same pay as a private. It depends upon his age. If he is 75 years old, he gets \$24, I believe—that is, if he served the maximum time prescribed in the law.

Mr. SMITH of Georgia. Prior to 1890, the time they were put on the same level, what was it?

Mr. TOWNSEND. I can not tell the Senator now. I am not familiar with the pensions that were drawn at that time by the officers. I have not the amount in mind.

Mr. SMITH of Georgia. What does the Senator think is a fair estimate of the average amount that these men have already received by way of pension from the Treasury, even where there was no injury of service origin?

Mr. WARREN. Mr. President, I think the Senator will find that they received no pension whatever unless for some disability occasioned by the war, until we adopted the service-pension system, and then they received exactly the same as the privates. There is no difference between a private soldier and a sergeant, a corporal, a captain, or even a colonel, unless by special act of Congress.

Mr. TOWNSEND. If I understand the question of the Senator, I should say that in the case of an officer having served the maximum time required to obtain the maximum pension who went on the rolls under the act of 1890, the service-pension law, if he went on the roll then and is still alive, he probably has received about \$2,500 during the 26 years.

Mr. SMITH of Georgia. And they are now receiving about what—about \$400 a year or about \$350 a year?

Mr. TOWNSEND. If the soldier is getting the \$30 a month, it is the most that he can obtain.

Mr. SMITH of Georgia. Three hundred and sixty dollars a year is the maximum?

Mr. TOWNSEND. If he has reached the maximum age, and is drawing \$30 a month, he could draw \$360 a year.

Mr. SMITH of Georgia. Three hundred and sixty dollars a year would be the maximum.

Mr. WARREN. He has to be 80 years old to get that.

Mr. SMITH of Georgia. Does this bill in any way treat of the necessities of the soldiers, or is it just a flat bill without regard to that?

Mr. TOWNSEND. Just a flat bill without regard to their physical or financial condition.

Mr. SMITH of Georgia. If a man had been a private, and had been advanced to the status of an officer, his service as private inures also to his benefit and helps make the count for him, does it not?

Mr. SMITH of Georgia. He must have been in the Army two years to have received the full pay or six months for the partial pay?

Mr. TOWNSEND. That is right.

Mr. SMITH of Georgia. And his promotion might have been at any period during those two years or six months, and his salary would follow the length of service, not simply the promotion?

Mr. TOWNSEND. That is right.

Mr. SMITH of Georgia. It is suggested to me that he might have been made a captain just a week before the close of the war and receive the full compensation. The reply that occurs to me is that I am not sure, because he is a captain, that he ought to have any more than because he was a private; and I do not find special fault with giving him credit for his service in the ranks as private to help add to his compensation as an officer, for I think the privates have about as hard a time as the officers, if not harder. I wish we had plenty to give them all a great deal—I mean, the really deserving ones.

This writer, from Company B, Eighteenth Wisconsin Volunteer Infantry, Mr. H. B. Worcester, says:

Most of the officers are already receiving the highest pensions paid under present laws, viz, \$30 per month.

I suppose this would be true, because I suppose there were very few officers who had not been in the Army the full two years.

Mr. TOWNSEND. The majority of them were in the Army for that length of time.

Mr. SMITH of Georgia. I should take it for granted that to reach, in the latter part of the service, the position of an officer, they must have been officers for some time, or must have had experience in the ranks and have been promoted from the ranks, most of them.

Mr. TOWNSEND. Their service as officers does not make any difference about their present pensionable status. It depends upon their age and service to some extent, but their age under the present law would give practically all of them, at least the majority of them, \$30 a month.

Mr. SMITH of Georgia. This writer says:

The present pension bill takes into account two things, age and service, and these are, and must be, the only true foundation for all claims. Let us examine.

Have the proponents of this bill any advantage or disadvantage in years which needs special compensation?

None whatever. This is obvious to everybody without argument. Their claim, then, must rest on the assumption of "superior service." Let us see.

The company to which they belonged was recruited in the neighborhood or town where they had been schoolboys and had grown up together. When the company was full an election of officers was held. Always two or more tickets but one successful candidate for each position—a captain and two lieutenants—not more than a shade smarter than the defeated candidates.

Being promoted to these positions, they now enjoy the distinction, the honors, the authority, which accompany them.

What did they bring to these positions?

Any superior education or preparation? None whatever.

Any acquaintance with tactics? None.

Any knowledge of strategy? None.

Any familiarity with military engineering? None.

Any understanding of problems of transportation? None.

Anything about subsistence? Nothing.

Anything about clothing or sanitation? Nothing.

Anything about the school of the soldier? Nothing.

No years, or even days, were ever spent in study at a military school.

Not a dollar was ever paid as the price of qualification.

We each bought "Hardee" and began the "School of the Soldier" together.

Did they march farther or faster than their neighbor boys? They did not.

Did they endure hardships more severe than their schoolmates? They did not.

Did their counsels overcome the mighty combinations of treason? They were not asked.

Like the rest of us, they simply obeyed orders.

We stood in line while we could, and ran when we had to.

As sprinters they were a good company average. When taken prisoners they were first to be exchanged.

What, then, did they do during the war which justifies this claim? Nothing.

They were abundantly paid; they thought so themselves, then.

What have they done since? Nothing.

They have enjoyed the savings of those years. They followed their own interests untroubled by "orders" or "service," and 90 per cent of them have for 50 years occupied the best positions in civil life.

On what, then, in God's name, are they resting their preposterous claims?

On the ghost of an old service, exhumed after 50 years, dusted off and revalued by a committee of interests and pressed with insulting effrontery upon a patient and long-suffering Congress.

The retired Army officer spent his whole life until his years retired him in the service of his country.

The volunteer officer never gave his years to the service of his country; he never was "retired," he was mustered out with the rest of us and has followed his own sweet will as a civilian for 50 years, untrammelled by "orders" and has been at the "pile counter" most of the time.

Now, they do not occupy the position of retired officers. They do not in any sense occupy that position; and to give them one-half the amount that a retired officer gets, or three-fourths—a retired officer gets three-fourths pay, I think; does he not?

Mr. TOWNSEND. A retired officer of the Regular Army gets three-fourths pay, and if he served one day as a volunteer he is retired of a rank one grade in advance of his actual rank at the time of his retirement, and he gets retired pay of the advance rank. That is the way we treat the Regular Army officer to-day. We are not keeping faith with the volunteer officers in view of the promise that our Government made during the Civil War; but Congress has passed measure after measure recognizing the service of a Regular Army officer as a volunteer during the Civil War. I repeat, the law to-day retires a Regular Army officer at a pay one rank in advance of that at which he served in the Army if he served a single day in the Civil War as a volunteer.

Mr. SMITH of Georgia. If the Senator will allow me, when did we add that provision? Did it go through at the last session?

Mr. TOWNSEND. Oh, no, no. Congress passed acts in 1905 and in 1912 and at several other periods since the war closed, recognizing the service of the volunteer if he entered the

Regular Army. But it has failed to recognize the great mass of volunteer officers who led 90 per cent of the men who fought the battles of the North and saved the Union.

Mr. SMITH of Georgia. I asked the Senator the question because I heard that there was some bill pending at the last session of Congress to advance substantially retired Army officers if they had been in the Spanish-American War or had served anywhere as volunteers, and I was watching it to resist it, and I was just wondering if it had passed through when I did not notice it, for I really enjoy resisting a measure of that sort much more when I am sure that there are just as many of my own people concerned in it in my own State as there are in anybody else's State.

This old soldier concludes his letter by saying:

I carried, when fully equipped, about 45 pounds; the captain about one-ninth as much, and had a trunk and transportation for the rest. My Belgian rifle weighed 14 pounds, exclusive of ammunition; his beautiful sword one-ninth as much.

For this service I received \$13 per month; he received nine times that amount and garnered the honors and feminine smiles "When Knighthood was in Flower."

Mr. WARREN. Of course, the Senator recognizes the inaccuracy of some of those statements. An officer has to pay for his living expenses; a private does not. And as to the privates electing the officers, that was not done generally, only in some communities where the State law or where the governor gave that privilege, as they did in Massachusetts at one time. But in the case of most of them the officers were those who went out and spent their money in recruiting companies, regiments, and so forth, in the Civil War.

I do not wish to attack the argument of the correspondent, but in his zeal he has rather gone beyond the facts.

Mr. SMITH of Georgia. I will state again that I can not claim him as a correspondent. I was surprised two or three days ago to find this letter, dated December 4, on my desk. I suppose I drew the letter by having expressed myself in some previous Congress as opposed to this bill, and this gentleman wrote me for that reason. I have had quite a number of letters, not quite so elaborate or so argumentative, from privates protesting against this officers' bill, and insisting that the measure was discriminatory as to them. I can not vote for it. Although the Senator from Michigan does not think so, my conclusion was that it would cost something like \$10,000,000 a year.

Mr. TOWNSEND. The Senator is mistaken.

Mr. SMITH of Georgia. I did not mean to assert that positively, however.

Mr. TOWNSEND. The best information we can obtain—that from the Pension Department itself—together with facts that have been compiled by a committee that has had the matter in charge, and which has submitted its findings to the department, makes the amount that this bill carries less than \$4,000,000 the first year, and after that it would be materially less; that is, the net additional cost over and above what is now paid in pensions will be considerably less than \$4,000,000.

Mr. SMITH of Georgia. Is there any report from the Pension Office recently giving such an estimate?

Mr. TOWNSEND. The last report we have from the Pension Office is on October 31 of this year, in which it is stated that there are now living on the invalid rolls of the Civil War 353,034 soldiers, including officers. From well-established calculation it has been shown that from the beginning of the pension lists or records not to exceed 1 out of 54 is an officer. The officers are older than the men. They average much older than the men. The death rate is much greater among the officers than it is among the men. With that ratio applied—1 in 54—there would now be 6,537 officers, or there were on October 31 last.

Mr. SMITH of Georgia. Sixty-five hundred at \$1,800 a year would be about \$11,000,000.

Mr. WARREN. Oh, well, Mr. President, there is no \$1,800 a year average.

Mr. TOWNSEND. One thousand eight hundred dollars is the highest pay that any officer could receive, and that must be an officer superior to the rank of captain. There are not 2,500 among the officers who would receive \$1,800 a year each. A little less than a year ago it was estimated that there were 7,200 officers, of whom 144 were generals and colonels, 216 lieutenant colonels, 360 majors, and 2,520 captains. All the balance were first and second lieutenants, who would receive not to exceed one-half the pay of their rank, which, of course, would be much less than three-fourths the pay of a captain. So I can say to the Senator that the total amount, estimated carefully and I think very conservatively, would be for the first year \$3,642,000. Of course, I have deducted the pensions that they are now receiving. I am talking about the extra amount of pension that this bill would carry.

Mr. SMITH of Georgia. I am afraid the Senator very much underestimates it; and yet—

Mr. WARREN. Mr. President, will the Senator permit me to give him a statement of what I understand this bill is? In the first place, this bill carries only a rate, at the very largest, which amounts to three-quarters the active pay of a captain; but that applies to only the colonels, lieutenant colonels, majors, and so forth. Now, the captain can get only half of his active pay, which would be \$1,250. A first lieutenant, whose initial pay is \$2,000, could get \$1,000. The second lieutenant's initial pay is \$1,700, and he would get half of that; and these amounts only if the officer served two years or more.

Mr. SMITH of Georgia. The Senator says the bill gives the captain only half of his pay as a captain?

Mr. WARREN. That is all.

Mr. SMITH of Georgia. If he has served two years?

Mr. WARREN. He must have served two years to get that, and if he served six months he only gets a quarter of that, and if he served half of that time he only gets half. He must, in the first place, have served six months, anyway. He then gets the proportion that the number of months served bears to the amount for two years, so that the maximum for a captain is \$1,250, and that will only be for those that were in the service two years, except those that have lost an arm or a leg or their eyes, who are specially provided for here. They get the regular three-fourths pay.

Mr. SMITH of Georgia. Is that an increase to them also? I am just figuring how much the increased tax on the Treasury will be.

Mr. WARREN. The tax on the Treasury, as I said, would be, commencing with a second lieutenant, at the rate of one-half of \$1,700, a first lieutenant one-half of \$2,000, and a captain one-half of \$2,500. The only ones who would get above the half of \$2,500 would be majors, colonels, brigadier generals, and so forth. They would then get not over three-quarters of a captain's initial pay. That is the limit under the bill.

Mr. SMITH of Georgia. The figures given by the Senator from Michigan should, I believe, be something like 2,500 who were captains or higher than captains.

Mr. TOWNSEND. I think about 2,500.

Mr. SMITH of Georgia. And 500 of those were higher than captain. Then about 2,000 were captains?

Mr. TOWNSEND. That is probably a fair statement.

Mr. SMITH of Georgia. That would be \$900,000, and the 2,000 would be \$2,500,000.

Mr. TOWNSEND. Two million four hundred thousand dollars. I will say to the Senator you must deduct from this the total amount of pensions they are receiving to-day.

Mr. SMITH of Georgia. One may take about \$300 yearly as an average for each one.

Mr. TOWNSEND. It is in some cases more than that. Some are receiving for total disabilities \$72 a month. Some of them are receiving pensions under special acts for a larger amount than this bill would carry, and they would not obtain anything under this measure.

Mr. GALLINGER. If the Senator will permit me—I just came into the Chamber—as the Senator knows, a large class of them get \$100 a month for the loss of an arm and eyesight.

Mr. TOWNSEND. I simply made the statement that whatever pension they are receiving now will, of course, be deducted from the amount carried in the bill in order to determine the extra amount that we propose to appropriate.

Mr. SMITH of Georgia. There is an increased amount in the bill to go to those who were wounded, as the Senator from New Hampshire suggested. The Senator from Wyoming or the Senator from New Hampshire stated that under the act there was increased pay to those who were suffering from any disability, as I gathered.

Mr. TOWNSEND. Special disability.

Mr. SMITH of Georgia. Then, so far as I can figure it out, under the Senator's suggestion it is very difficult to make an estimate of what it will be, it is largely conjectural; but instead of being \$11,000,000, possibly it could not be over \$5,000,000, or less.

I do not think I have anything further to say at this time, Mr. President. I think when I go to my office I can lay my hand on some memoranda I prepared at the last session. If I can I will refer to it later.

Mr. BRYAN. Mr. President, I inquire of the Senator in charge of the bill if it is his purpose to explain it to us and let us know what it contains, or does the Senator intend to make an argument in support of the bill?

Mr. TOWNSEND. I beg pardon, I did not hear the Senator.

Mr. BRYAN. I inquire of the Senator from Michigan in charge of the bill if he intends to make an argument in support of it?

Mr. TOWNSEND. Mr. President, I have not intended to make any argument on the bill because it is thoroughly understood. The Senator from Florida understands it. It has been understood for some years. I do not wish to take any time of the Senate in discussing a matter upon which it is fully informed now and for which Senators are waiting to vote. We have discussed it in time past. The Senator himself has discussed it.

I did present an argument in favor of the measure and to which Senators honored me by giving attention the first time it came up, and I have arguments for it now. I do not care to answer the slanderous tirade which was presented by the writer of the letter which was read by the Secretary. It is unbecoming a soldier of the Civil War; it answers itself. Therefore, I say I do not care to dignify the statements which have been presented by him, and I hope we may give the Senate an opportunity to vote on the measure soon. I am prepared, I think, to answer such questions as are asked for information.

Mr. BRYAN. Mr. President, if one would take the trouble to examine the bills introduced on the subject of pensions, long ago he would have come to the conclusion that human ingenuity had been exhausted in the attempt to create and add new classes that might receive gratuities from the Government. It would seem that after considering this question from every conceivable viewpoint we have about exhausted the classes of pensions.

I do not feel any embarrassment in opposing this bill or any other bill of this character. The fact that I come from a section of the country which furnished no soldiers to the Union Army does not make me feel it less my duty to oppose this legislation, as I have opposed, and will continue to oppose, legislation in favor of the veterans of the Spanish-American War, and all the States furnished soldiers in that war.

Mr. President, the evil of this thing is not so much in the money that is spent; it is in the tendency to provide men a living out of the Federal Treasury. These officers in the Union Army are not on the same level and plane as officers of the Regular Army. These officers in the Civil War did not go into the military service for a career; they went in at the call of their country, and when the war was over they went back and became a part of the civil population. I suppose it is necessary to make some provision for those who devote themselves for a lifetime to the military service, because they have no means of acquiring a livelihood or taking care of themselves when their days of service are over. But that is not true of this class.

Heretofore, Mr. President, there has not been any distinction made as between the officers and privates, and while the Senator from Michigan may think that the letter from this private ought not to be read or heard in the Senate of the United States it seems to me the writer of the letter has a right to complain. It has never been the policy of Congress to make distinctions between officers and privates. Indeed heretofore they have always come and asked to be treated alike. Now that human ingenuity has about exhausted itself in trying to discover a new plan to place persons upon the pension roll, the Senator from Michigan has found out a way by arguing that these men ought to be placed, as far as pensions are concerned, on an equality with officers of the Regular Army who devoted their lives to the military service.

The evil of this legislation, Mr. President, is that it is not for men who served in the war. The evil tendency is to create a class of pensions by this bill, and by other bills that are presented from time to time, that does not regard service in the war. Then you are coming to old-age pensions. What objection are you going to make to it? Are you going to say they have not served in any war? They will turn upon you and say, "Neither did these people ever serve in any war."

Mr. Gardner, from Michigan, who served in the House of Representatives so long, was a soldier in the Civil War. Here is what he said about the late enlistments in this war—and he is a distinguished gentleman from the State of the Senator who proposes this bill:

There were over 800,000 men that were called into service by Mr. Lincoln for nine months and less—

Bear in mind there were 2,200,000 altogether—

There were over 600,000, as I recall—I could refer to it specifically, if necessary—that served three months or less—90-day militia. When the forts that girded this city during the Civil War had the three-year men in them and the battles were going on at the front and the regiments were being decimated and the commands greatly reduced, what did Mr. Lincoln do? He called out the 90-day or 100-day militia. They were hurried to the front and manned these forts.

Senator DU PONT. Were not many of those men regularly mustered into the service as Volunteers?

Mr. GARDNER. I only speak of those that were mustered into the 90-day service.

Senator DU PONT. They were not militia; they were Volunteers.

Mr. GARDNER. If you will pardon me, I copied the very words in the call, which were "State militia"; but they were serving in the United

States Army. They were regularly mustered. If I am wrong, I should like to be corrected.

Senator DU PONT. There were some Volunteers called—not militia at all—for less than three years. In the State of Delaware, for instance, there were two regiments that were called for nine months, and regularly mustered in, that were not members of the State militia. There did not then exist in our State any State militia. It is true that those people did not serve the nine months; but why? Because they were mustered out by order of the Government before the expiration of that time. But they were not militia in any sense.

Mr. GARDNER. That is likewise true of troops from other States; but I speak of the word "militia" as it enters into the call. Ohio had thirty-odd thousand of the 100-day militia in one call. Those were not the "Squirrel Hunters."

I pause here to say, Mr. President, that the Squirrel Hunters have not been overlooked. By the way, there is a bill introduced, pending now before the same committee, to pension the Squirrel Hunters, of Ohio.

They are not on the pension rolls—

Says Mr. Gardner. But I predict they will be.

They are not on the pension rolls. They are not eligible for the pension rolls—not yet.

I do not know that they ever will be. But they were the men who were mustered into the United States service and served 100 days.

I say to you what I know to be a fact. While many of these men fought, and fought well, the great body of them simply went to man the forts, to release the three-year men that went to the front and did the shooting. That is a fact, gentlemen. Lots of these men never got the polish off their shoes. It is no disparagement to them. They did all they were called upon to do. They wore paper collars and ate soft bread. It was no fault of theirs. Ohio had how many regiments of that kind, Col. McElroy, that never lost a man?

Mr. McELROY—

Col. McElroy was sitting in the committee room—

Mr. McELROY. Oh, quite a number of them never saw any fighting and never heard a cannon.

Mr. GARDNER. Many of them never fired a gun.

I say to you, gentlemen—and I am willing to defend this proposition before any Grand Army gathering in the country—that the man who went to war and served only 90 days, and received no permanent disability from wounds or anything resulting from his service, is not entitled to rank with the man who served two, three, or four years at the front.

That was the language of a man who served four years in the war.

Now, this bill provides that if a man became an officer in his six months' service or at the end of it, he is entitled to have this unusual privilege extended to him and be paid as if he were a retired Regular Army officer.

Mr. President, that will inevitably lead to pensions in civil life. Let me read to you a bill that was introduced into this Congress:

Be it enacted, etc., That immediately after the passage of this act an Army corps shall be organized in the Department of War, under the direction of the President, to be known as the Old Age Home Guard of the United States Army.

I have the bill here. I am reading it out of the book because the print is better.

SEC. 2. The Old Age Home Guard of the United States shall be composed of persons not less than 65 years of age.

SEC. 3. Any person who is 65 years of age or upward, and who has been a resident of the United States 25 consecutive years and a citizen of the United States 15 consecutive years next preceding the date of application, and who is not possessed of property amounting to more than \$1,500 in value, free of all incumbrances, or an income of more than \$240 per annum, and who has not sequestered or otherwise disposed of property or income for the purpose of qualifying for enlistment as hereinafter provided, may make application, in writing, to the Secretary of War for enlistment in the Old Age Home Guard of the United States Army—

If they ever get in they ought to have the officers whom this bill provides for to command them—

And it shall be the duty of the Secretary of War to enlist and enroll such applicant for the term of his or her life, as a private in the Old Age Home Guard of the United States Army without regard to the physical condition of the applicant, provided that persons related as husband and wife shall not both be eligible for enlistment, enrollment, and service therein at the same time, and in case of dispute as to whether husband or wife shall be enlisted and enrolled, as herein provided, the question shall be decided by the Secretary of War—

It will take a man with about his unlimited authority to pass upon it—

by and with the approval of the President.

SEC. 4. The pay of a private in the Old Age Home Guard of the United States Army shall be \$120 per annum, to be paid in quarterly installments, as pensions are now by law paid, provided, that \$10 per annum shall be deducted from the pay of each private, and retained in the Treasury of the United States, for every \$100 worth of property in excess of \$300, and for every \$10 per annum income in excess of \$120 possessed by such private.

SEC. 5. Arms and ammunition shall be furnished to privates in the Old Age Home Guard of the United States Army at the discretion of the Secretary of War, but no sustenance shall be furnished to them except the pay herein provided.

SEC. 6. No private, or applicant for enlistment as private, shall be required to leave his or her home for the purpose of enlistment, enrollment, or service in the Old Age Home Guard of the United States Army, nor shall they be required to assemble, drill, or perform any other maneuvers, nor be subject to any of the regulations of the United States Army, except as herein provided.

SEC. 7. Privates in the Old Age Home Guard of the United States Army shall be required to report annually, in writing, to the Secretary of War, on blanks furnished by him for the purpose, the conditions of military and patriotic sentiment in the community where such private lives, but no private shall be discharged, disciplined, or otherwise punished for failure to make such report.

SEC. 8. The number of persons enlisted in the Old Age Home Guard of the United States Army shall be in addition to the number of officers and privates now required by law in the United States Army.

Mr. President, a bill of that kind should arouse our curiosity. What was the purpose of it? Senators smile at a bill which would require the Secretary of War to decide as to whether a husband or wife, both of them over 65 years of age, should be admitted into the Army. What Army is this bill speaking about? It is speaking about an Army that would have just as much right to be supported out of the tax funds of the people of this country as many of those now upon the pension roll.

This bill was introduced in Congress by the present Secretary of Labor. It was introduced into the House of Representatives and has been since then continuously in every Congress. How did he happen to introduce it, and why is it introduced? Because, Mr. President, the American Federation of Labor at their meeting in Denver, Colo., in their annual convention, decided that they had as much right to be supported by the people who have grown old making an honest living and had as much right to be supported by this Government as men who never smelled gunpowder in any war. A committee was appointed by the convention of the American Federation of Labor at Denver to draft a bill that would be constitutional, and this is the bill reported at the annual convention of the American Federation of Labor. Senators say it will never pass. I question no man's motives, but, Mr. President, the power of organization behind legislation of this kind is felt even in the Congress of the United States. When I see 44,000 rural carriers make Congress turn right about face and grant them an increase of pay demanded because of the power of their organization I ask, How long before you will be voting for old-age pension bills? That is what that is.

Here is a book entitled "Old Age Dependency in the United States." It shows that the pension roll to-day is not made up of soldiers. You know they do not have to go far, they do not have much trouble to prove it; it is apparent at once that more than half of the rolls are made up not by men who ever enlisted in any war but by their dependents, widows, sisters, uncles, aunts, children.

Then the Spanish-American War soldiers, seeing the tendency, come to Congress to have their widows provided for. What widows? Widows of volunteer officers and privates who came from private life and fought our battles in Cuba, lost their lives, had their health injured? It would be right to pay them; but they were not there. They were not in Cuba. The Regular Army fought that battle with the assistance of Col. Roosevelt and the Rough Riders, or they assisted him, I do not know which. [Laughter.]

Yet the terms of that bill will command the same vote as this bill, because all bills for pension legislation get the same vote. They will get that vote, to do what? To put the widow of every man in that war on the pension roll.

So it can not be because of any injury he received in his enlistment, because of any injury to his health, but because he enlisted at the call of the country. That is all. He may come to this city to-day under the terms of the bill now on the calendar on his wedding trip and sit up in the gallery here for a few minutes, as so many of them do, and go down on his way back to town and get run over by a street car, and his widow gets a pension.

Do you think you can keep up that kind of legislation and turn a deaf ear to old-age pensions? If you are going to be powerful enough to resist the united demand of nearly 2,000,000 people, why do you not resist the organized demand of less than 50,000 of them to-day?

Mr. President, it has never seemed to me that we could stop. I can not see the distinction between a widow whose husband enlisted in the Spanish-American War and served his enlistment at Chickamauga and the widow of any other worthy dependent citizen of the country. I say there is none, and when you go that far then you can not, it seems to me, resist taking the next step.

Now, what else is there? Civil pensions. Employees of the Government are to be pensioned. They are demanding it now. Bills are on the calendar to pension them. I never could understand why a young man who enters into the Government service and gets more money for less work than the young man across the street working for a private employer should have a civil pension. The latter has to look out for himself for old age ahead of him, at less pay, with fewer holidays, harder work, longer hours, and then when he gets old he is discharged. Are

you going to pension him? I am opposed to it. I think we must devise some scheme to get rid of them, to let them out of the service.

Let us see, Mr. President, if I have overstated anything. The author of this book is Mr. Squier. In chapter 7 he says:

The system of pensions established by the enactment of Congress for the relief of disabled and aged men retired from the Army and Navy is familiar to all intelligent citizens of the United States, because it is of such long standing and so universal in its operation.

Few people realize the immensity of the sums paid out by the United States Government, since its foundation, in pensions to soldiers, sailors, and marines, their widows, minor children, and dependent relatives. The annual report of the Commissioner of Pensions for the fiscal year ended June 30, 1911, contains the aggregates.

They amount to \$4,230,381,730.16. It is now between five thousand and six thousand million dollars. This Government has paid out more for pensions, and it is now paying out more every year for pensions, than the combined expenditures of all the military powers of Europe, with Japan added.

It must be remarked that the acknowledgment of the obligation of the Nation to provide for its worn-out, disabled, and aged defenders has been increasingly apparent in the past few years.

Then the author illustrates that. He says:

This fact is significant if there is borne in mind this thought: That the great majority of all the United States pensioners are above 65 years of age. The people of the United States, therefore, in the administration of the National Government's pension system, are perhaps unconsciously, but none the less truly, recognizing the moral obligations of the State to make provision for the relief of its aged dependent citizens.

There it is; there is the statement that you have already done it; therefore, it is but carrying out a part of the same plan to give to anybody 65 years old the largess of the Government.

That is why I am opposed to this legislation, Mr. President. I do not believe in it. I believe we are abandoning the old policy of asking people to live under just laws and to make their own living, and that we are entering upon a plan of saying to everybody that will not do so that this Government will be so paternal as that it will do it for him. It is going to be a different sort of Government. Heretofore we have admired the man who, in spite of obstacles, worked his own way, fought his own battles without the aid of the Government and by himself, making of himself an independent citizen.

I have no sort of feeling of antipathy against any officer or soldier who served in the Civil War. If I represented them, or could assume to do so, I would never introduce any such bill as this. It is not fair to them. The idea of combining together in an organization to see if we can not get some money out of the State treasury or out of the Federal Treasury is not commendable in anybody, and I am afraid there is too much of that.

I heard one Senator, who has gone away from here now, but who had a very honorable career in this body, and who had served as governor in a Southern State, say that his State refused to grant pensions, except in very deserving cases, to those who had served in the Confederate Army, and they got along all right. Those old fellows said they did not need anybody's help. Finally some politician came along proposing to give all of them a living without any work. He got them on the roll and then they quit trying to do anything. They said, "The State is going to take care of us; the Government is going to take care of its soldiers; and we do not have to work."

The private soldier from Wisconsin whose letter was read here, Mr. President, truly said that these officers did no harder work in the war than did the privates; that when it was over they went back home and they enjoyed a superior distinction to the privates; that they filled the offices in the county, in the State, and in the Nation.

Now comes the proposition to commercialize the whole thing and to put it upon a question of "How much?" "The jingle of the coin" appeals to them. The average pay of every officer in the Civil War upon the Union side has been \$2,500 and more. Now we are asked to take them out of the usual class that they have always been in, along with the privates and to retire every volunteer officer as if he had devoted his life to the profession of arms and to treat him just exactly as we treat a man in the Regular Army. They were appointed officers and commissioned by the governors of their States. They enjoyed that honor; they have had the distinction since. Even in this body to-day there are four Confederates and four or five Union soldiers—most of them officers, I presume, during the war.

This proposed legislation has not been placed, it seems, upon the proper basis. For instance, here is a petition by the Illinois and Chicago Volunteer retired-list committee. The committees have worked this up and not the men. Here is a committee now. One of the members connected with it in some way happens to

live in my city, and he sends this to me to enlist my support of this bill:

At a meeting of the Volunteer Officers' Association of the Civil War held in Memorial Hall, Chicago, on Saturday, the 21st day of February, the following resolutions were unanimously adopted:

"Whereas the surviving volunteer officers of the Union Army have patiently, loyally, and anxiously waited for many years for the enactment of a law that shall give to them what under precedents, promises, and laws they believe is justly their due, and to restore them the rank and emoluments of which they have been improperly deprived: and

"Whereas the Senate Committee on Military Affairs on February 13 passed out Senate bill 392"—

Which is this bill—

"with the recommendation that it pass with certain amendments, which amendments we deem objectionable and unjust: Be it

Resolved, That we are opposed to the amendment disqualifying officers from participation in the proposed legislation because of ability to earn an income or because of frugality in having secured an income even with their wives' help of \$2,400 per annum."

Let me ask the Senator from Michigan, who is giving me his very close attention, if that provision is still in the bill?

Mr. TOWNSEND. Mr. President—

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Florida yield to the Senator from Michigan?

Mr. BRYAN. I do.

Mr. TOWNSEND. The Senator from Florida seems to be conserving his energy for some reason or other, so that he does not speak very loudly, and it is therefore impossible for me to follow him.

Mr. BRYAN. That is not the trouble, Mr. President. The Senator from Michigan was otherwise engaged just at the time. I desire now to ask him has the committee corrected that error of denying the benefit of participation in this legislation if a man has an income of \$2,400 a year?

Mr. TOWNSEND. That has been eliminated from the bill.

Mr. BRYAN. They have asked that that be done, and I now learn the committee has done it. This resolution continues:

Such an exemption will give the color of charity or benevolence to this act, for which the officers have not asked, and which they do not desire from Congress.

They say they have a right to it, but they do not want any charity or benevolence bestowed by this Government; that they have a right to the retired pay of Regular Army officers, or a part of it. There is where they plant themselves. I say they have no such right. So the Senator from Michigan has been mistaken when he has appealed for this act of justice, this act of benevolence to these people, for they say they have a right to have it.

This resolution continues:

We most respectfully pray for what we believe is properly our due, and that the surviving officers of the Volunteer Army and Navy shall be treated with the same consideration that has been so freely accorded to the other creditors of the Government during the years of the Civil War, and with the same consideration which Congress, 40 years after the close of the Revolutionary War, gave to the officers of that war. We have waited for this act of appreciation and justice for 50 years.

They look back to some precedent in the Revolutionary War. So every time you pass a bill to add somebody else to the pension roll, it will be cited as a precedent hereafter.

The whole of the pensions paid on account of the Revolutionary War did not amount to as much as an annual bill for the survivors of the Civil War 50 years after that war is over. But I grant you that there was legislation that should not have been passed then. I think it is a strange thing, yet it is true, that in 1911 or 1912 there was still a pensioner of the Revolutionary War upon the pension rolls of this Government.

The committee which drafted these resolutions asked for some other things to be done, but they are not so important, and I presume they have been attended to.

I want to read a little more from the book from which I have already quoted. The author says:

The solution of the old-age dependency problem in the United States will not soon be reached by any plan thus far put forward by the annuity class of economists. Indeed, in the face of such points as are marshaled against it, the annuity proposition, predicated upon any thrift scheme, may be considered a lost cause in this country; especially is this true when the advantages urged by the pension class, for the solution they offer, are carefully weighed.

In its essence the old-age pension scheme is nothing more or less than the Nation's acknowledgment of the debt which the present generation owes the survivors of the past generation.

The Senator from Colorado [Mr. THOMAS], who is here present, worries occasionally about debts and appropriations for things tangible, for salaries, for the Army, and for the Navy, but here is a new kind of debt that is claimed against this Government.

I contrast with that declaration the statement of Mr. Gardner, of Michigan, when he was before our committee, who said that no matter whether the McCumber bill should be passed or not,

even if no bill were passed, no soldier of the Civil War could ever to-day or on any to-morrow charge this Government with being ungrateful to its soldiers. I contrast that spirit with the spirit of "you owe me this money, and I want you to pay it to me"; and I say that if we yield to this bill and to other bills of like character we can not resist the old-age claimants for pensions or the claims of those in the civil service of the Government.

Let us glance at some of the measures which are pending. Here is a bill "to pension remarried widows." That is one. Here is another "granting pensions to members of the military organization of 1862, known as the 'Squirrel Hunters.'" Here is a bill, "to extend the provisions of the pension act of May 11, 1912, to the officers and enlisted men of all State militia and other State organizations that rendered service to the Union cause during the Civil War for the period of 90 days or more, and providing for their widows, minor children, and dependent parents, and for other purposes."

That is not the old-age home guard, but that is the home guard that it is proposed to pension.

Here is another bill, introduced by no less a personage than the distinguished Senator from Utah [Mr. SUTHERLAND], "granting a pension to teamsters, bridge builders, and railroad repairers who were in the service of the United States during the Civil War."

Here is a bill "in aid of pensions to the soldiers and sailors of the War of the Rebellion and the War with Spain." I read from that bill as follows:

Be it enacted, etc., That in construing the pension laws all soldiers and sailors shall be considered as physically sound at the time of their enlistment, and the enlistment or enrollment of such soldier or sailor shall be sufficient proof of the fact that he was physically sound at such time.

They are to be considered sound whether that was the fact or not. It is like these bills to—well, I forget what they call them; but, anyhow, they are to straighten out the crooked records of deserters and put them on the pension list—

Mr. THOMAS. Bills to correct military records.

Mr. BRYAN. And which provide they shall hereafter be assumed, and that nobody shall deny the assumption upon the penalty of death, that such and such a man did not desert, and that he is entitled to a pension.

Here is the old-age pension bill [exhibiting], which I read to the Senate, introduced in the Sixty-third Congress.

Here is another, entitled "A bill to provide old-age and cripples' pensions," by Mr. DOOLITTLE.

Let me pause here to say, Mr. President, that there is no need of any legislation to benefit anybody who ever served in any war who suffered by reason of that service.

The bills that have been coming in here for the last 25 years have been designed to place upon the pension roll men who could not get there because of any injuries received in service. I am not against all pensions, but I think they ought to be based upon meritorious service and upon injury and upon need. I believe that the citizen of this Republic owes a duty to his Government no less than the duty the Government owes to the citizen; and I think we are engaged in a poor business when we undertake to commercialize the service of the men who went to war in time of peril. There are always men ready to go into any war for their country when their country is attacked, whether it is right or wrong. I think it would be a poor sort of government that would not take care of them and their dependents in case of injury or death; but I can not understand what higher right a man who simply enlisted and received no injury has to be supported out of the taxes of the people of this country than any other deserving citizen.

Take the illustration I gave a while ago, Mr. President, of a veteran of the Spanish-American War. He is here to-day with his bride and unfortunately is killed or otherwise loses his life. Now, I ask you, How is it that yesterday she had no claim upon the Government, but to-day she has? It is simply for the reason that she married him; that is all. And yet our legislation is full of instances of that kind.

Here [exhibiting] is another bill to provide for old-age pensions, and here is a bill "to pension widow and minor children of any soldier who served in the War with Spain or Philippine insurrection" and the Boxer troubles. That bill is upon the calendar and its passage is being urged.

I was criticized at the last session of the Senate because I would not agree to a vote on that bill and because I argued against it. The Senator from Colorado also argued against it. Senators say a majority of the Senate want to pass these bills, and why not let them do so? Why, Mr. President, they can pass these bills and they will pass them when they come to a vote; but I have made up my mind that I am going to object and to

oppose this character of legislation, and I have no apology to offer to anybody for doing so.

Here is a bill entitled "A bill to grant pensions to certain persons for certain injuries sustained in dangerous employment in the United States"—not in any work done for the United States, but to give pensions to men who in private employment are unfortunate and are hurt. What do they base that on? Upon the theory that they are a part of the great industrial army; they are a part of the citizens of this Republic who do not ask favors at the hands of the Government; but they see this lavish and unjust appropriation of public funds, and they feel that they, too, have a right to a share of them.

Mr. CLAPP. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Minnesota?

Mr. BRYAN. Certainly.

Mr. CLAPP. I should like to ask the Senator if he thinks that the action of Congress at the last session in placing \$400,000,000, in round numbers—a little short of that—upon the backs of the American people for the Army and Navy in a time of profound peace might not also serve as an incentive to others to think that possibly they ought to get some pecuniary benefit from this organization which we call the Government?

Mr. BRYAN. I rather think the Senator is right, Mr. President.

Mr. CLAPP. Yes.

Mr. BRYAN. They will all take it. They would not apply for it; their pride would not let them apply for it in the first place, but if it is provided by law they will take it. There is a sort of feeling that it is all right to get anything one can get out of the Government. If a private individual would offer it to them, they would say, "No"; but, unfortunately, it is true that too many people think that the money in the Treasury, especially in the Federal Treasury, ought to be taken whenever it can be gotten hold of. They feel that if the Government erects a public building in their town, it is a gift to them. They do not realize, I believe, that they help pay the taxes of the country because of the indirect manner in which they are levied.

Mr. CLAPP. Mr. President, will the Senator pardon another interruption?

The PRESIDING OFFICER. Does the Senator from Florida yield further to the Senator from Minnesota?

Mr. BRYAN. Certainly.

Mr. CLAPP. I want to call the Senator's attention to the fact that in one respect, at least, I think, without intending it to be so, his criticism has been altogether too far-reaching and too sweeping. I refer to his criticism of the bills introduced to secure pensions for men who are unable under existing laws to establish their claim to a pension by their hospital record in connection with their service. The Union Army in the Civil War was made up of a great many young men—and I have no doubt whatever that, if we had the records of those who were engaged on the other side, we would find the same fact—in the prime and strength of their youth, thousands of whom would have been perfectly entitled to have gone to hospitals, but kept out of the hospitals, and consequently have no hospital record to establish their claims. I know from my own experience in helping to get pensions for some of these men, who I believed were deserving, that many of them were justly entitled to pensions, but because of their pride and manhood at the time they kept out of hospitals when they would have been perfectly justified in having gone to them.

Then I want to call the Senator's attention to another thing that I think ought to modify a somewhat sweeping suggestion of his with reference to this charge of desertion.

Mr. BRYAN. Mr. President, I have not come to that part of my speech yet, dealing with deserters.

Mr. CLAPP. Why, the Senator was on it a moment ago.

Mr. BRYAN. I just referred to it in passing, but I am willing to have the Senator make his point clear. I should like to understand just exactly what it is.

Mr. CLAPP. It is this—that because a young man did not always report at a time when his sole purpose was to serve, and not to make a record, that is no sign to-day that he should be classed indiscriminately as a deserter.

Mr. BRYAN. But does not the Senator think all of that could have been found out in a shorter time than 50 years? What were they doing all this time?

Mr. CLAPP. No; I do not. I say so for this reason: They came home from that war. I have had cases where I know the facts. They got through fighting, and they started home. They did not care to be mustered out. The fighting was over. They were young. They were not thinking of pensions. But, in my judgment, no man can go through three or four years of military service without more or less weakening that something

which we call constitution. The years passed by, and finally old age comes to that man, and he is absolutely justified, if he can establish his claim, in doing away with what was a mere technical record, and a record that at the time he never dreamed he was making against himself. He is justified in doing away with that, so far as that may be a criticism or an embarrassment to his family and posterity; and the fact that he did not think of doing that in the prime of his manhood is no reason why it should be insisted that because he did not do it then he ought not to do it in his latter years.

I think that both those kinds of cases should modify the criticism that the Senator made a few moments ago, when he was dealing with this general class of bills to relieve men from the charge of desertion and to enable them to secure pensions where they were unable to secure them by the hospital records.

Mr. BRYAN. Mr. President, of course the Senator is correct in the statement that sometimes, because of misunderstanding or because of sickness, the charge of desertion was entered up when it should not have been. But that was not true in all cases.

Mr. CLAPP. Oh, not in all cases, of course.

Mr. BRYAN. There were 125,000 desertions on the Union side in the Civil War. The cases to which the Senator refers were the exceptions, and the general legislation was very generous to those. If they had served to May 1, 1865, no charge of desertion would be made against them, although they did not show up to be mustered out; or if they had deserted earlier than that, and within a reasonable time voluntarily returned to the service, even after the war was over.

There is a little more I want to read from this book. Its author proceeds:

Any man or woman who has lived for 65 or 70 years, doing the best possible under all circumstances, even making due allowance for mental, physical, or moral frailties, has contributed by life and work to the making of the world a better place to live in. Every civilized community feels the obligation to provide such an one with shelter, food, and raiment; that is to say, threescore years or more of life and service are as so many duebills which the superannuated person presents to the working generation and which that generation can not deny or repudiate. What the pension class of economists urge is that the duebills of the old shall not be paid grudgingly and by a charity that suggests a beggarly condition, but in a manner that preserves and exalts that dignity of the old, sustains his self-respect, and enables him to move among the younger generation as a patriarch honored for having lived and served.

The points to which attention may be called in the solution of the problem offered by the pension class may be summarized as follows:

First. It is manifestly no greater burden on the community as a whole to operate a Government pension system than to support the aged dependents on the present system of public and private charity—

And sometimes I have felt that the pension roll was used for that purpose; that there are people—I submit it to the Senator from Minnesota—who get upon the pension rolls by private pensions whose claims appeal to the sympathy of any man; but if there is any right, it is a mere technical right to get upon the roll. It is not even a technical right, because if it were they would not have to come to the committee. Senators and Members of the House are human. They hear these pitiful stories asking a raise from ten to twenty or twenty-five dollars or thirty dollars a month for "this poor old decrepit widow," and she gets it. It is easy to be generous with other people's money; yet in the aggregate that amounts to considerable. The Senator from Colorado [Mr. THOMAS] here to-day, discussing another bill not connected with pensions, pointed out that all but two bills introduced in the House of Representatives on the first day of this session were private pension bills. So we are making a sort of a poorhouse contribution by the Federal Government for duties that ought to be performed by the cities and the counties where the people live. It is nothing but a claim by the unfortunate. It ought to be treated so. These claims ought to be paid by the communities in which the people live out of the general tax money.

Second. The community as a whole owes the disabled soldiers of the Nation's industrial army as tender consideration and ample rewards for service as are recognized to be due the veterans of the Nation's military service.

Third. A pension scheme established by Congress and operated by the National Government would encourage the mobility of labor, destroy the spirit of servility and fear that now so often dominates the wage earner, and would enhance the stability and beauty of home life, in that the aged veteran would be welcome to a place of counsel and honor in the family circle, now too often denied him because his support is too heavy a draft on the scant earnings of his children and grandchildren.

We are going to take him away from his children and his grandchildren, who are willing to take care of him, whose love and affection for him ought to lead them to take care of him, and place the burden of his support on the Federal Government. That is where all this legislation is leading.

Mr. CLAPP. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Minnesota?

Mr. BRYAN. I yield.

Mr. CLAPP. While, of course, that phase of the pension matter is not before the Senate, yet, if the man's children will not take care of him, the fact that he has children who ought to take care of him would not lessen his claim upon the support of the public.

Mr. BRYAN. That is true.

Mr. CLAPP. Now, while this is not directly involved in this argument, I submit to the Senator—I am not, however, submitting a view that I have yet reached myself—what difference it makes, if the amount is the same, what treasury the money comes out of? There is no such thing as the Government having any money. It is simply trustee for the people's money, whether it is the Federal Government or the government of the State, city, county, or township; and if the amount is the same, it has sometimes occurred to me that there was no more equitable distribution of the burden, if it is justified at all, than out of the Federal Treasury.

Mr. BRYAN. Oh, I have the other view, Mr. President. It seems to me that in cases such as the Senator has mentioned the best way is to let those people be taken care of in the counties where they live, where the officials can find out that their case is meritorious and understand their needs better than they can be understood by the representatives of the Federal Government, unless we are to have an army of people to carry out these Federal laws. Why, in every one of the nearly 3,000 counties in this country there is that problem. There are five times that many county commissioners, perhaps, who give their attention to it. That is 15,000 men. Would you stop that system and set up another army of 15,000 clerks radiating from this Capital to find out about the poor people in the country?

Mr. CLAPP. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida further yield to the Senator from Minnesota?

Mr. BRYAN. I do.

Mr. CLAPP. It would not require any such army. This Congress last year voted I forget how many millions upon an alleged highway bill. Already we recognize the fact that some localities are less able to pay than others, and it is a question—I simply suggest it—if it is right to spend a dollar of the money of the taxpayer, whether it might not just as well be spent out of the Federal Treasury as anywhere else. It is only a dollar, anyhow.

Mr. BRYAN. I did not vote for that bill. I think the States ought to have taken care of the road question under a plan differing from the plan adopted; but I am afraid the Senator is trying to lead me away from this discussion, although I have no objection to discussing the road proposition with him.

Mr. CLAPP. Oh, I was not trying to lead the Senator away. He had left the subject and gone into a sort of philosophical zone of debate that always attracts me, and I was just making these suggestions.

Mr. BRYAN. I am very glad to have the Senator do so.

Mr. CLAPP. And I drew my inspiration from what the preceding session of Congress had done.

Mr. BRYAN. That is a dangerous source.

Mr. CLAPP. I think so. I quite agree with the Senator on that point.

Mr. BRYAN. Mr. President, we hear—in fact, it is too often so—that everybody is an economist until it comes to something he wants. I heard a very violent speech from the Senator from Michigan [Mr. Townsend] at the last session on economy, on how wasteful the Democrats had been in spending the public money, and that is always charged, I suppose, and yet in that total bill are included these enormous sums of money. Two-thirds of the money collected at the customhouses of this country is being paid out now for pensions 50 years after we have had any war at all. Here comes the Senator now with this bill. Nobody knows what it is going to cost. They do not even take the trouble to find out from the Bureau of Pensions what this bill will cost. We passed one here last summer. Somebody said it would cost \$8,000,000 or \$10,000,000. Nobody knows. We were in such a hurry that we could not find out approximately what it would cost. I saw a criticism in one of the magazines of this country taking Congress to task for that sort of legislation. Where is any report here as to what this bill will cost? We have this man's guess and that man's guess, and none of them have ever heretofore estimated an amount as great as the facts showed the appropriations to meet the demands to be.

Mr. CLAPP. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida further yield to the Senator from Minnesota?

Mr. BRYAN. I yield to the Senator.

Mr. CLAPP. I should like to inquire of the Senator if that same magazine criticized Congress for spending a portion of four hundred millions for eight more battleships at a time when a German merchant submarine was defying the greatest navy on earth? Did the magazine attack that expenditure?

Mr. BRYAN. I did not read all the magazine; but what is the Senator's idea about that?

Mr. CLAPP. I do not think the magazine did attack that expenditure. I venture that belief.

Mr. BRYAN. No, but what is the Senator's opinion about that appropriation—the Navy and the Army appropriation?

Mr. CLAPP. Why, I think any such vast sum was absolutely unwarranted, and I voted against it.

Mr. BRYAN. I am very glad to have that statement placed in the Record.

Mr. TOWNSEND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Michigan?

Mr. BRYAN. Certainly.

Mr. TOWNSEND. I have not cared to interrupt the Senator from Florida, and shall not do so further than to say generally that the statements which he makes in reference to the estimated cost and relative to extravagance do not apply to this bill at all. I have not taken the time of the Senate to discuss this bill, although I should be very glad to do it if any Senator does not understand it; but if a Senator simply wishes to use the time of the Senate to prevent a vote, I do not care to contribute to his purpose.

I wish to state generally, however, that I am opposed to extravagance, whether that extravagance is of Republican or Democratic origin. I regard this measure as a sacred obligation of our Government. I have so regarded it from the beginning—an obligation which has too long been delayed. A majority of this Senate believes it is a sacred obligation. I have voted with the Senator from Florida in the Committee on Claims to pay claims which perhaps the North would object to, as the Senator very well understands, because I have felt that they were valid obligations which the Government owed, and I have been willing to pay such obligations. This bill is the very least the Government owes to a class of patriots which is too rapidly disappearing, and if the Senator from Florida and one or two others will permit us to vote it, the Senate will so decide.

Mr. BRYAN. I am very much obliged to my friend from Michigan, Mr. President, for his interruption. I do not know what license the Senator has to say that I am filibustering against this bill. That is a charge easily made. I assume that I have a right to state my objections to it. Nobody has yet stood up, and nobody will stand up, to show the merits of it, and the Senate does not know anything about it. That is the truth about the whole thing.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from New Hampshire?

Mr. BRYAN. I yield to the Senator from New Hampshire.

Mr. GALLINGER. The report on this bill was made by a Democratic Senator, and it seems to show very clearly the merits of the bill.

Mr. BRYAN. Yes; I have read the report on it. It does not show anything. It shows somebody's guess as to about how much it would cost. I have read the report. It makes a guess of less than four millions, but it could be found out. Somebody guessed last summer, when another bill on this subject was passed, that it would cost \$10,000,000. It was a pure guess. I venture to say that it will cost twice that much. The Senator from Michigan is mistaken, and assumes a little too much when he undertakes to lecture me for arguing against this bill. The Senator seems to think that when he is ready to vote, a vote ought to be taken. I asked him before I began if he intended to show the merits of this bill, if it had any, and he then said that everybody wanted to vote for it. It would seem to me, from looking around over this Chamber, as if not many people are enough interested in it to be present, either to vote for it or against it.

Mr. TOWNSEND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida further yield to the Senator from Michigan?

Mr. BRYAN. I yield.

Mr. TOWNSEND. In answer to the last suggestion first, if the Senator will give us an opportunity to do it, there will be sufficient interest. I am not objecting to the Senator's discussing this bill. I am not objecting to any Senator discussing it. If it can not stand upon its merits, it ought to fail. I have never argued anything else. Inasmuch, however, as the Sena-

tor has suggested that the criticism I offered was not, perhaps, made in good faith, I should like to ask the Senator now, if he will permit a vote upon this bill after full discussion on both sides? Is the Senator determined to defeat this bill under any conditions or by all means possible, even if it is necessary to occupy the time until the adjournment of Congress, and has he so stated?

Mr. BRYAN. I did not understand that I was under cross-examination.

Mr. TOWNSEND. Well, I withdraw that question; but I am sorry the Senator brought it up.

Mr. BRYAN. No; the Senator need not withdraw it. I am going to do everything that I think is legitimate to defeat this bill, and all bills of the same kind. I am not going to stand here and filibuster for days, however.

Mr. TOWNSEND. Would the Senator be willing that a day be fixed upon which we shall vote?

Mr. BRYAN. I would not.

Mr. TOWNSEND. Would he be willing that we should vote at the end of a week?

Mr. BRYAN. I think I have stated enough for the Senator to know my position about it. If I see a good chance to beat this bill, I am going to try to do it. I am not going to stand up and filibuster by the day against it. I never have done that. I believe that if Senators would come in and understand just exactly what this bill contains, instead of saying, "Oh, well, it is a pension bill, and when they call the roll I will vote for it," there would be some doubt about its being passed.

Mr. TOWNSEND. Let me suggest to the Senator that it is more than a pension bill. I think he so understands it.

Mr. BRYAN. No; I understand it. That is what it is, Mr. President. It is to increase the pensions of these men from three or four hundred dollars, or, if they are injured, from eight or nine hundred dollars to twelve or eighteen hundred dollars a year. That is what it is. If it were not for the money in it, there would not be any bill pending here. If that is not true, let us strike out any provision to pay them anything and put them without any increase of salary on the retired list of the United States Army. Would that be satisfactory? It is because of the appropriation the bill carries that its passage is desired. The retired volunteer officers are to be put on the retired list for the same purpose. This bill that I read undertook to create an old-age army of the United States. That is what it is. It is for the money in it; and I do not believe they show a case that authorizes Congress to place them above the ordinary soldier in the Civil War.

Mr. President, perhaps the Senator from Michigan can not understand it, but it is not the money involved that is the most important part of this legislation. I think it is a dangerous thing to continue to agitate and to add new classes to these rolls. There is no necessity for it. If any one of these officers was injured, he gets ample pay now to live in comfort. If he was not injured, then what higher claim has he than a private soldier who was injured? Why should the uninjured officer receive five or six times as much as an injured private who saw real service?

The trouble with this whole pension legislation is that you mix up the meritorious classes with the unmeritorious classes. You take the old war widow of a veteran who fought four years in the Civil War and put her on an equality with the widow of some holiday home guardman. That is the injustice in it. Now you are going to make a special class of these officers upon the pretext that they ought to be treated on an equality, as far as pay is concerned, with an officer in the Regular Army who has to devote a lifetime to service in the Army, and who has no other means of accumulating a competence. Whether that is right or wrong, it does not make this legislation defensible or tolerable, it seems to me, to anybody who is considering justice to the men or to the officers, or, most important of all, to the duties which devolve upon us here.

Mr. THOMAS obtained the floor.

Mr. SMITH of Georgia. Mr. President, before the Senator from Colorado proceeds will he allow me to have placed in the RECORD a letter I have received?

Mr. THOMAS. If the Senator from Georgia desires the floor I will yield it.

Mr. SMITH of Georgia. No; I do not want to do that, but I should like to get a letter into the RECORD at this time.

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Georgia?

Mr. THOMAS. I yield.

Mr. SMITH of Georgia. I should like to have inserted in the RECORD this afternoon the two letters which I send to the desk. I should like to have them read.

The PRESIDING OFFICER. At present?

Mr. SMITH of Georgia. Yes.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The SECRETARY proceeded to read the first of the two letters.

Mr. SMITH of Georgia. Mr. President, for the purpose of saving the time of the Senate I will ask that the two letters may be printed in the RECORD. I wanted to put into the RECORD the statement I received two years ago to the effect that the probable charge would be nine and one-half million dollars.

The PRESIDING OFFICER. Without objection, the letters will be inserted in the RECORD.

The letters referred to are as follows:

DEPARTMENT OF THE INTERIOR,
BUREAU OF PENSIONS,
Washington, December 12, 1914.

Hon. HOKE SMITH,
United States Senate.

MY DEAR SENATOR: I have your letter of the 9th instant, in which you make reference to bill (S. 392) to create a Civil War officers' retired list and ask to be furnished information as follows:

First. A list showing the total number of such officers coming under the classification of the bill.

Second. A list showing the number of such officers now on the pension roll and the amounts they have received or are receiving.

Third. A statement showing the amounts that the first-mentioned list would be entitled to receive under the provisions of the bill.

In reply I beg to inform you that this bureau has no record of officers of the Civil War now surviving who are not pensioners, and the names of those who are in receipt of pension are not borne separately on the pension roll but are entered in alphabetical order with the names of privates and noncommissioned officers. Furthermore, the roll entries do not show length of service in any case, and such information, as essential to determine the benefits intended to be conferred by the bill, may be obtained only by an examination of the War Department report in each claim.

The information you ask is therefore not available and could be obtained—as far as relates to the officers referred to who are now pensioners—only by an examination of nearly one-half million roll entries of Civil War survivors of the several classes and tabulation of the list thus obtained by rank, length of service, rate of pension, etc., from data partly to be secured by reference to the papers in the claims.

A number of estimates have been made for Senators and Members of the House, upon the above and similar bills, on the basis of a tabulation prepared from a list of officers taken from the pension roll in 1908. A copy of the last estimate given Hon. JAMES HAY, chairman of the House Committee on Military Affairs, under date of April 4, 1914, is herewith inclosed.

Very truly, yours,

G. M. SALTZGABER,
Commissioner.

DEPARTMENT OF THE INTERIOR,
Washington, April 4, 1914.

Hon. JAMES HAY,
Chairman Committee on Military Affairs,
House of Representatives, Washington, D. C.

MY DEAR MR. HAY: I am in receipt of a communication from the clerk of your committee, dated the 31st ultimo, submitting by your direction a copy of bill H. R. 1851, to create in the War Department and the Navy Department, respectively, a roll designated as "The Civil War volunteer officers' retired list," etc., with request for an estimate of the probable annual cost to the Government should it be enacted into law.

Said bill is identical in terms with bill S. 392 as introduced on April 8, 1913, by Mr. TOWNSEND, to whom an estimate thereon was given under date of June 9, 1913, placing the net cost for the first year at \$10,283,122. The factors used in ascertaining this amount were 16,472 officers then surviving—as determined by deduction on account of percentages of loss by death from a number theretofore found by actual count to be living and borne on the pension rolls, and a net annual cost per officer of \$624.27+ after deduction of average annual pension of \$240.

A deduction of 8 per cent from the above number of officers on account of deaths since said estimate was made leaves a total of 15,154 now surviving, and deduction of the higher average annual pension per officer of \$256.64 gives the net cost per officer as \$607.63+. On this basis it is estimated that the cost to the Government for the first year, should the bill be enacted into law in its present form, would be about nine and one-fourth millions of dollars—the exact amount with the factors used being \$9,208,159.89.

Cordially, yours,

LEWIS C. LAYLIN,
Assistant Secretary.

EXECUTIVE SESSION.

Mr. CHILTON. Mr. President—

Mr. THOMAS. I yield to the Senator from West Virginia.

Mr. CHILTON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Saturday, December 16, 1916, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 15, 1916.

SECRETARIES OF EMBASSY OR LEGATION.

CLASS 4.

Herbert S. Gould, of San Francisco, Cal., to be a secretary of embassy or legation of class 4 of the United States of America, to which office he was appointed during the last recess of the Senate.

Livingston Phelps, of New York, N. Y., to be a secretary of embassy or legation of class 4 of the United States of America, to which office he was appointed during the last recess of the Senate.

CONSULS GENERAL.

CLASS 4.

P. Stewart Helntzleman, of Pennsylvania, lately a consul general of class 5, to be a consul general of class 4 of the United States of America, to which office he was appointed during the last recess of the Senate.

CLASS 5.

E. Carlton Baker, of California, lately a consul of class 6, to be a consul general of class 5 of the United States of America, to which office he was appointed during the last recess of the Senate.

CONSULS.

CLASS 6.

Edwin L. Neville, of Ohio, lately a consul of class 7, to be a consul of class 6 of the United States of America, to which office he was appointed during the last recess of the Senate.

CLASS 7.

Henry H. Balch, of Alabama, lately a consul of class 8, to be a consul of class 7 of the United States of America, to which office he was appointed during the last recess of the Senate.

Kenneth S. Patton, of Virginia, lately a consul of class 8, to be a consul of class 7 of the United States of America, to which office he was appointed during the last recess of the Senate.

CLASS 8.

Max D. Kirjasoff, of Connecticut, lately vice consul and interpreter at Yokohama, to be a consul of class 8 of the United States of America, to which office he was appointed during the last recess of the Senate.

ASSISTANT SECRETARY OF COMMERCE.

Edwin F. Sweet, of Michigan, to be Assistant Secretary of Commerce in the Department of Commerce.

UNITED STATES ATTORNEY, WESTERN DISTRICT OF WISCONSIN.

William F. Wolfe, of La Crosse, Wis., to be United States attorney for the western district of Wisconsin, vice John A. Aylward, deceased. Mr. Wolfe is now serving under a recess appointment.

ASSOCIATE JUSTICE, SUPREME COURT OF THE DISTRICT OF COLUMBIA.

William Hitz, of the District of Columbia, to be associate justice of the Supreme Court of the District of Columbia, vice Thomas H. Anderson, deceased. Mr. Hitz is now serving under a recess appointment.

REGISTER OF THE LAND OFFICE.

James Alexander Nutting, of Quincy, Cal., to be register of the land office at Susanville, Cal., vice James Wylie, deceased.

MEMBER OF INTERSTATE COMMERCE COMMISSION.

Winthrop More Daniels, of New Jersey, to be a member of the Interstate Commerce Commission for the term expiring December 31, 1923. (A reappointment.)

MEMBER OF EXCISE BOARD, DISTRICT OF COLUMBIA.

Henry S. Baker, of the District of Columbia, to be a member of the Excise Board of the District of Columbia, for a term of three years. (A reappointment.)

COAST GUARD.

CAPTAIN.

First Lieut. Henry Granville Fisher to be captain in the Coast Guard of the United States, to rank as such from November 9, 1915, vice Capt. Horace B. West, promoted. Lieut. Fisher is now serving under a temporary commission issued during the recess of the Senate.

First Lieut. Henry Ulke to be captain in the Coast Guard of the United States, to rank as such from June 26, 1916, in place of Capt. Kirtland W. Perry, retired. Lieut. Ulke is now serving under a temporary commission issued during the recess of the Senate.

First Lieut. Walter Aquila Wiley to be captain in the Coast Guard of the United States, to rank as such from December 1, 1916, in place of Capt. Francis A. Levis, retired.

FIRST LIEUTENANTS.

Second Lieut. James Louis Ahern to be first lieutenant in the Coast Guard of the United States, to rank as such from November 9, 1915, in place of First Lieut. Henry G. Fisher, promoted. Lieut. Ahern is now serving under a temporary commission issued during the recess of the Senate.

Second Lieut. Lloyd Toulmin Chalker to be first lieutenant in the Coast Guard of the United States, to rank as such from June 26, 1916, in place of First Lieut. Charles W. Cairnes, retired. Lieut. Chalker is now serving under a temporary commission issued during the recess of the Senate.

Second Lieut. Edward Darlington Jones to be first lieutenant in the Coast Guard of the United States, to rank as such from June 26, 1916, and to take rank next after First Lieut. Lloyd T. Chalker, in place of First Lieut. Henry Ulke, promoted. Lieut. Jones is now serving under a temporary commission issued during the recess of the Senate.

Second Lieut. Stanley Vincent Parker, to be first lieutenant in the Coast Guard of the United States, to rank as such from December 1, 1916, in place of First Lieut. Walter A. Wiley, promoted.

SECOND LIEUTENANT.

Third Lieut. Henry George Hemingway to be second lieutenant in the Coast Guard of the United States, to rank as such from November 9, 1915, in place of Second Lieut. James L. Ahern, promoted. Lieut. Hemingway is now serving under a temporary commission issued during the recess of the Senate.

FIRST LIEUTENANT OF ENGINEERS.

Second Lieut. of Engineers John Thomas Carr to be first lieutenant of Engineers in the Coast Guard of the United States, to rank as such from August 13, 1916, in place of First Lieut. of Engineers William C. Myers, retired. Lieut. Carr is now serving under a temporary commission issued during the recess of the Senate.

THIRD LIEUTENANT OF ENGINEERS.

Cadet Engineer John Nathaniel Heiner to be third lieutenant of Engineers in the Coast Guard of the United States, to rank as such from October 7, 1916. Mr. Heiner is now serving under a temporary commission issued during the recess of the Senate.

Cadet Engineer Francis Compston Wells, to be third lieutenant of Engineers in the Coast Guard of the United States, to rank as such from October 7, 1916. Mr. Wells is now serving under a temporary commission issued during the recess of the Senate.

PUBLIC HEALTH SERVICE.

ASSISTANT SURGEON.

Dr. Robert Booth Acker to be assistant surgeon in the Public Health Service, to take effect from date of oath. (New office.)

Dr. Charles Armstrong to be assistant surgeon in the Public Health Service, to rank as such from October 27, 1916. Dr. Armstrong is now serving under a temporary commission issued during the recess of the Senate.

Dr. Rolla Eugene Dyer to be assistant surgeon in the Public Health Service, to rank as such from October 31, 1916. Dr. Dyer is now serving under a temporary commission issued during the recess of the Senate.

Dr. Meade Castleton Edmunds to be assistant surgeon in the Public Health Service, to rank as such from October 30, 1916. Dr. Edmunds is now serving under a temporary commission issued during the recess of the Senate.

Dr. Justin Keyser Fuller to be assistant surgeon in the Public Health Service, to rank as such from October 27, 1916. Dr. Fuller is now serving under a temporary commission issued during the recess of the Senate.

Dr. Walter Trousdale Harrison to be assistant surgeon in the Public Health Service, to rank as such from October 26, 1916. Dr. Harrison is now serving under a temporary commission issued during the recess of the Senate.

Dr. William Frederick Wagenbach to be assistant surgeon in the Public Health Service, to rank as such from October 30, 1916. Dr. Wagenbach is now serving under a temporary commission issued during the recess of the Senate.

APPOINTMENTS IN THE ARMY.

CHAPLAINS.

Rev. Joseph Simon Loughran, of California, to be chaplain with the rank of first lieutenant from September 28, 1916, vice Chaplain Henry A. Brown, Corps of Engineers, retired from active service September 1, 1915.

Rev. Ora Jason Cohee, of Indiana, to be chaplain with the rank of first lieutenant from October 4, 1916, vice Chaplain Joseph C. Kennedy, Twelfth Cavalry, resigned February 24, 1916.

PROMOTIONS IN THE ARMY.

GENERAL OFFICERS.

Brig. Gen. John J. Pershing, to be major general from September 25, 1916, vice Maj. Gen. Albert L. Mills, who died September 18, 1916.

Col. Eben Swift, General Staff Corps (Cavalry), to be brigadier general from September 29, 1916, vice Brig. Gen. Granger Adams, retired from active service September 28, 1916.

Col. Francis H. French, General Staff Corps (Infantry), to be brigadier general from September 30, 1916, vice Brig. Gen. John J. Pershing, appointed major general.

Col. Edwin St. J. Greble, Sixth Field Artillery, to be brigadier general from October 13, 1916, vice Brig. Gen. Montgomery M. Macomb, retired from active service October 12, 1916.

Col. Charles G. Treat, General Staff Corps (Field Artillery), to be brigadier general from October 18, 1916, vice Brig. Gen. Frederick W. Sibley, retired from active service October 17, 1916.

INFANTRY ARM.

Lieut. Col. George B. Duncan (Infantry), detailed in the General Staff Corps, to be colonel from September 18, 1916, vice Col. John H. Beacom, Sixth Infantry, who died September 17, 1916.

Lieut. Col. Lucius L. Durfee, Ninth Infantry, to be colonel from September 18, 1916, vice Col. George B. Duncan, detailed in the General Staff Corps.

Maj. Truman O. Murphy (Infantry) adjutant general, to be lieutenant colonel from September 9, 1916, vice Lieut. Col. Eli A. Helmick (Infantry), unassigned, detailed in the Inspector General's Department.

Maj. William H. Bertsch (Infantry), detailed in the Quartermaster Corps, to be lieutenant colonel from September 9, 1916, vice Lieut. Col. Truman O. Murphy, detailed in the Adjutant General's Department.

Maj. Ross L. Bush, Thirteenth Infantry, to be lieutenant colonel from September 9, 1916, vice Lieut. Col. William H. Bertsch, detailed in the Quartermaster Corps.

Maj. John B. Bennet, Eleventh Infantry, to be lieutenant colonel from September 18, 1916, vice Lieut. Col. Lucius L. Durfee, Ninth Infantry, promoted.

Maj. Melville S. Jarvis (Infantry), unassigned, to be lieutenant colonel from November 15, 1916, vice Lieut. Col. Francis E. Lacey, jr., Thirty-second Infantry, detailed in the General Staff Corps.

Capt. Ralph E. Ingram, Eleventh Infantry, to be major from September 9, 1916, vice Maj. Ross L. Bush, Thirteenth Infantry, promoted.

Capt. Robert C. Davis, Thirtieth Infantry, to be major from September 16, 1916, vice Maj. Jens Bugge, Infantry, unassigned, retired.

Capt. Joseph F. Janda, First Infantry, to be major from September 18, 1916, vice Maj. John B. Bennet, Eleventh Infantry, promoted.

Capt. Alvan C. Reed, Ninth Infantry, to be major from September 23, 1916, vice Maj. Robert Field, Infantry, unassigned, retired.

First Lieut. John S. Davis, Nineteenth Infantry, to be captain from July 1, 1916, to fill an original vacancy.

First Lieut. Earl C. Buck, Twenty-seventh Infantry, to be captain from July 1, 1916, to fill an original vacancy.

First Lieut. Jere Baxter, Twenty-eighth Infantry, to be captain from July 7, 1916, vice Cralle, Twenty-ninth Infantry, detailed in the Quartermaster Corps.

First Lieut. Russell James, Third Infantry, to be captain from July 7, 1916, vice Cochran (P. M.), Seventeenth Infantry, detailed in the Quartermaster Corps.

First Lieut. Floyd R. Fredendall, Second Infantry, to be captain from July 7, 1916, vice Halstead, Twenty-fourth Infantry, detailed in the Quartermaster Corps.

First Lieut. Rowan P. Lemly, Thirteenth Infantry, to be captain from July 7, 1916, vice Erickson, Nineteenth Infantry, detailed in the Quartermaster Corps.

First Lieut. A. Ellicott Brown, Eighth Infantry, to be captain from July 7, 1916, vice Andres, Eighteenth Infantry, detailed in the Quartermaster Corps.

First Lieut. James M. Lockett, Twenty-third Infantry, to be captain from July 7, 1916, vice Regan, Thirtieth Infantry, detailed in the Quartermaster Corps.

First Lieut. Eugene Robinson, Twenty-fifth Infantry, to be captain from July 10, 1916, vice Bridges, unassigned, promoted.

First Lieut. Clyde L. Eastman, Twentieth Infantry, to be captain from July 10, 1916, vice Robertson, Eighteenth Infantry, promoted.

First Lieut. Jesse C. Drain, Ninth Infantry, to be captain from July 10, 1916, vice Heidt, Ninth Infantry, promoted.

First Lieut. Alexander W. Chilton, Twenty-fourth Infantry, to be captain from July 15, 1916, vice Lincoln, Second Infantry, promoted.

First Lieut. William E. Morrison, Seventh Infantry, to be captain from July 15, 1916, vice Mullay, Thirteenth Infantry, promoted.

First Lieut. Donald J. MacLachlan, Tenth Infantry, to be captain from July 19, 1916, vice McCleave, Twenty-second Infantry, promoted.

First Lieut. Charles H. Rice, First Infantry, to be captain from July 20, 1916, vice Jordan, Sixth Infantry, promoted.

First Lieut. Irving J. Palmer, Thirtieth Infantry, to be captain from July 23, 1916, vice Gowen, Tenth Infantry, promoted.

First Lieut. Melvin G. Faris, Twelfth Infantry, to be captain from July 26, 1916, vice Berry, Twenty-fourth Infantry, promoted.

First Lieut. Alexander W. Maish (captain in the Ordnance Department), Infantry, to be captain from July 29, 1916, vice Dodge, Twenty-second Infantry, detailed in the Quartermaster Corps.

First Lieut. William J. McCaughey, Thirteenth Infantry, to be captain from July 29, 1916, vice Maish, detailed in the Ordnance Department.

First Lieut. Eugene R. Householder, Twenty-fifth Infantry, to be captain from August 2, 1916, vice Ramsey, unassigned, detailed in the Ordnance Department.

First Lieut. James G. Taylor, Twenty-seventh Infantry, to be captain from September 2, 1916, vice Barber, Third Infantry, retired from active service September 1, 1916.

First Lieut. Eugene Santschi, jr., unassigned, to be captain from September 6, 1916, vice Young, Twenty-third Infantry, detailed in the Quartermaster Corps.

First Lieut. William A. Ganoe, Twenty-fifth Infantry, to be captain from September 6, 1916, vice McEntee, unassigned, detailed in the Signal Corps.

First Lieut. Elmer F. Rice, First Infantry, to be captain from September 8, 1916, vice Mauborgne, unassigned, detailed in the Signal Corps.

First Lieut. Edwin C. McNeil, Fourteenth Infantry, to be captain from September 9, 1916, vice Capt. Ralph E. Ingram, Eleventh Infantry, promoted.

First Lieut. Benjamin F. Castle, Fifteenth Infantry, to be captain from September 12, 1916, vice La Garde, unassigned, retired September 11, 1916.

First Lieut. Charles L. Wyman, Infantry, unassigned, to be captain from September 13, 1916, vice Guild, unassigned, detailed in the Signal Corps.

First Lieut. John W. Lang, Twenty-ninth Infantry, to be captain from September 16, 1916, vice Davis, Thirtieth Infantry, promoted.

QUARTERMASTER CORPS.

Lieut. Col. Charles R. Krauthoff, Quartermaster Corps, to be colonel from September 22, 1916, vice Col. Abiel L. Smith, appointed brigadier general, Quartermaster Corps.

Maj. Harry E. Wilkins, Quartermaster Corps, to be lieutenant colonel from September 22, 1916, vice Lieut. Col. Charles R. Krauthoff, promoted.

MEDICAL CORPS.

Capt. Guy V. Rukke, Medical Corps, to be major from August 13, 1916, vice Maj. Robert N. Winn, who died August 12, 1916.

CORPS OF ENGINEERS.

Lieut. Col. Charles L. Potter, Corps of Engineers, to be colonel from November 27, 1916, vice Col. William E. Craighill, who died November 26, 1916.

Maj. Harry Burgess, Corps of Engineers, to be lieutenant colonel from November 27, 1916, vice Lieut. Col. Charles L. Potter, promoted.

CAVALRY ARM.

To be captains from July 1, 1916.

First Lieut. William N. Hensley, jr., Fifteenth Cavalry, vice Capt. Charles E. Stodter, Seventh Cavalry, promoted.

First Lieut. Berkeley T. Merchant, Thirteenth Cavalry, vice Capt. Alexander M. Miller, Eleventh Cavalry, promoted.

First Lieut. Hugh H. Broadhurst, Eighth Cavalry, vice Capt. Harry O. Williard, Fifth Cavalry, promoted.

First Lieut. Arthur W. Holderness, Seventh Cavalry, vice Capt. John P. Wade, Second Cavalry, promoted.

First Lieut. Louis A. O'Donnell, Cavalry, unassigned, vice Capt. Elvin R. Heiberg, unassigned, promoted.

First Lieut. William W. West, jr., Cavalry, unassigned, vice Capt. Ola W. Bell, Fourteenth Cavalry, promoted.

First Lieut. Reynold F. Migdalski, Tenth Cavalry, vice Capt. Abraham G. Lott, Fifteenth Cavalry, promoted.

First Lieut. Henry R. Smalley, Fourteenth Cavalry, vice Capt. Edward L. King, Second Cavalry, promoted.

First Lieut. Robert Blaine, Tenth Cavalry, vice Capt. Samuel F. Dallam, Seventh Cavalry, promoted.

First Lieut. Jonathan M. Wainwright, First Cavalry, vice Capt. William Kelly, jr., Eighth Cavalry, promoted.

To be first lieutenants.

Second Lieut. Chapman Grant, Seventeenth Cavalry, to be first lieutenant from July 12, 1916, vice First Lieut. Albert H. Mueller, unassigned, promoted.

Second Lieut. Duncan G. Richart, First Cavalry, to be first lieutenant from August 31, 1916, vice First Lieut. Allan F. McLean, Second Cavalry, promoted.

COAST ARTILLERY CORPS.

Lieut. Col. Henry D. Todd, jr., Coast Artillery Corps, to be colonel from September 10, 1916, vice Col. Henry C. Davis, retired from active service September 9, 1916.

Maj. Frank K. Fergusson, Coast Artillery Corps, to be lieutenant colonel from September 10, 1916, vice Lieut. Col. Henry D. Todd, jr., promoted.

Capt. John W. C. Abbott, Coast Artillery Corps, to be major from August 22, 1916, vice Maj. George T. Patterson, promoted.

Capt. Harry T. Matthews, Coast Artillery Corps, to be major from September 10, 1916, vice Maj. Frank K. Fergusson, promoted.

MEDICAL DEPARTMENT.

To be dental surgeons from June 16, 1916, to fill original vacancies.

Acting Dental Surg. Samuel John Randall.
Acting Dental Surg. Charles Taintor.
Acting Dental Surg. Don Gordon Moore.
Acting Dental Surg. Oscar George Skelton.
Acting Dental Surg. Harlan Lee Thompson.
Acting Dental Surg. Robert Beechly Tobias.
Acting Dental Surg. Harry Clothey Peavey.
Acting Dental Surg. William S. Rice.
Acting Dental Surg. Emmett Parsons Varvel.
Acting Dental Surg. J. Craig King.
Acting Dental Surg. Leigh Cole Fairbank.
Acting Dental Surg. Charles Clare Mann.
Acting Dental Surg. Richard Barnett Clark.
Acting Dental Surg. Dale Ellsworth Repp.
Acting Dental Surg. Terry P. Bull.
Acting Dental Surg. Raymond William Pearson.
Acting Dental Surg. A. J. Skillman.
Acting Dental Surg. Donald William Forbes.
Acting Dental Surg. James Louis Pierre Irwin.
Acting Dental Surg. Thomas Chester Daniels.
Acting Dental Surg. Ben Harrison Sherrard.
Acting Dental Surg. Frederick Randolph Wunderlich.
Acting Dental Surg. Wilfurd Hellman.
Acting Dental Surg. Bruce Harold Roberts.
Acting Dental Surg. Samuel Kaufman.
Acting Dental Surg. Lee Stanley Fountain.
Acting Dental Surg. John Lloyd Schock.
Acting Dental Surg. Charles Walter Lewis.
Acting Dental Surg. Gerald Dominic Byrne.

To be dental surgeons from October 24, 1916.

E. Henry Valentine, of North Carolina.
Oscar Peter Snyder, of Ohio.
William Mann, of Kentucky.
Joseph Hawkins Tyler, of Ohio.
Rex McKinley McDowell, of Ohio.
Charles Melville Taylor, of Washington.
Thomas Lovet Smith, of Alabama.
Elbert Earle Rushing, of Georgia.
Earp Theodore Dickmann, of Missouri.
Walter Sheldon Smith, of California.
Brantley Ingold Newsom, of North Carolina.
George Ray Tressel, of Ohio.
Lee Benjamin Schrader, of Indiana.
Frederic Harold Bockoven, of Ohio.
Aaron Fouts Eidemiller, of Ohio.
Howard Irving Benedict, of Tennessee.

HOUSE OF REPRESENTATIVES.

FRIDAY, December 15, 1916.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Let Thy blessing, O God our Heavenly Father, descend upon us to quicken our activities, strengthen our good resolutions, and further our earnest endeavors, that the issues of our earthly existence may add to the sum of human happiness, and thus leave the world a little better than we have lived and wrought. In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 18542, the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HARRISON of Mississippi in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 18542) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes.

The CHAIRMAN. The Clerk will read the pending amendment.

The Clerk read as follows:

Mr. Sisson moves to strike out, at the bottom of page 59, the following paragraph:

"Cincinnati, office of assistant treasurer: Assistant treasurer, \$4,500; cashier, \$2,250; paying teller, \$2,000; receiving teller, \$1,800; vault clerk, \$1,600; clerks—2 at \$1,300 each, 4 at \$1,200 each, 2 at \$1,000 each; clerk and stenographer, \$1,000; chief watchman, \$840; 2 watchmen, at \$720 each; in all, \$24,830."

Mr. ALLEN. Mr. Chairman, I ask unanimous consent to proceed for seven minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ALLEN. Mr. Chairman, the pending motion by Mr. Sisson is to strike out the paragraph at the bottom of page 59; in other words, to abolish the Subtreasury at Cincinnati.

The act of Congress approved May 10 last provided, among other things, as follows:

The Secretary of the Treasury is authorized and directed to report to Congress at the beginning of its next session which of the Subtreasuries, if any, should be continued after the end of the fiscal year 1917, and if, in his opinion, any should be continued, the reasons in full for such continuance; also if any or all of said Subtreasuries may be discontinued, what legislation will be necessary in order to transfer their duties and functions to some other branch of the public service or to the Federal reserve banks.

Now, every Member is familiar with the new legislation which Congress has recently enacted, very greatly increasing the duties of the Secretary of the Treasury; that in the multitude of affairs it is no wonder he has not been able to report by the very first day of the session. Any time within the next month would be a reasonable compliance.

The gentleman from Tennessee [Mr. BYRNS] in March last, during debate on the legislative bill, made this statement:

The Treasury officials have been giving some attention to the question of whether or not the duties of these Subtreasuries can be transferred or devolved upon the Federal reserve banks, at least to a certain extent. But the gentleman is no doubt aware of the fact that in order to do this it would be necessary to pass some legislation and make provision for some of the duties now performed by the Subtreasuries. While most of the members of the committee are in accord with the idea of the gentleman from Illinois, that there might be an elimination of much, if not all, of the work done by these Independent Treasuries we were unwilling to arbitrarily cut off all the appropriations until there had been some consideration given to the question of what particular agency was to perform the service now performed by them, and proper legislation passed in order to make it possible to transfer the duties.

Cincinnati is not a Federal reserve city, but the Subtreasury there is of supreme importance to the business interests of eight or nine adjoining States.

Mr. GORDON. Will the gentleman yield?

Mr. ALLEN. Certainly.

Mr. GORDON. Will the gentleman state the public functions that the Subtreasury at Cincinnati performs?

Mr. ALLEN. Yes. The operations of Subtreasuries consist of the following transactions:

First. Receiving from United States depository banks excess deposits of internal revenue, income tax, and customs duties.

Second. Receiving deposits for interest on Government funds and postal-savings funds that are held by banks.

Third. Receiving deposits of money-order funds, direct and indirect.

Fourth. Receiving deposits of lawful moneys from Federal reserve banks and all national banks for credit of their 5 per cent redemption fund.

Fifth. Receiving from postmasters daily deposits of surplus postal funds, and disbursing the same in payment of checks issued to postal employees, Rural Free-Delivery carriers, and for transportation of mails.

Sixth. Receiving deposits belonging to disbursing officers, also their unexpended balances at the end of each fiscal year, or whenever their services are terminated.

Seventh. Receiving funds deposited for telegraphic transfer to and payment at some other Subtreasury city for use of individuals and banks to relieve emergencies. Notable example: Chicago fire, Boston fire, Baltimore fire, San Francisco earthquake and fire, 1913 floods in the Ohio and Mississippi Valleys, and at the breaking out of the great European war in August, 1914.

Eighth. Acceptance of gold coins for redemption and exchange; also, purchase of lightweight and uncurrent gold coins.

Ninth. Acceptance of standard silver dollars for exchange and redemption.

Tenth. Acceptance of subsidiary silver coins for redemption and exchange.

Eleventh. Acceptance of minor coins for redemption and exchange.

Twelfth. Acceptance of United States notes for redemption and exchange.

Thirteenth. Acceptance of Treasury notes for redemption and exchange.

Fourteenth. Acceptance of gold and silver certificates for redemption and exchange.

Fifteenth. Counting and canceling unfit currency, and shipping same to Washington by registered mail.

Sixteenth. Issuance of \$10,000 gold certificates, payable to order, when requested upon deposit of a like amount of gold coin, a very valuable service and much used.

Seventeenth. Exchange of various kinds of money for other kinds and denominations that the banks, stores, shops, and the public in general may require. This is a valuable service to the public, as the Subtreasury is the only sure place to obtain such moneys.

Notwithstanding the changes in financial policy which have increased the number of United States depositories for Government funds, the receipts of the Cincinnati Subtreasury for the fiscal year ending June 30, 1916, were \$92,614,073.30, and the disbursements, \$90,433,926.31; total volume of business, \$182,447,999.61. This business was transacted with 2,105 banks in 1,076 cities and towns, as follows:

States.	Number of cities and towns.	Number of banks.
Ohio.....	549	1,023
Indiana.....	169	315
Kentucky.....	239	413
Tennessee.....	60	160
West Virginia.....	21	103
Alabama.....	17	33
Georgia.....	11	20
Virginia.....	5	16
Illinois.....	3	9
Pennsylvania.....	2	13
Total.....	1,076	2,105

SERVICES.

Among the most important services rendered by the Subtreasury are those connected with—

First. Receipts and disbursements of gold, silver, and minor coin.

Second. Receipts and disbursements of currency.

Third. The transfer of funds.

Fourth. The 5 per cent redemption fund.

Fifth. Redemption and exchanges.

1. Coin receipts and shipments during the fiscal year 1915-16 were as follows:

Months.	Receipts.	Shipments.	Total.
July.....	\$550,052	\$342,425	\$892,477
August.....	421,186	311,575	732,761
September.....	423,694	360,520	784,214
October.....	344,593	330,602	675,195
November.....	413,184	398,625	811,809
December.....	444,989	417,280	862,269
January.....	681,827	95,165	776,992
February.....	427,181	181,675	608,856
March.....	409,402	508,760	918,162
April.....	444,755	315,099	759,854
May.....	403,013	518,670	921,683
June.....	412,577	443,409	855,986

2. Currency receipts and shipments for the year each totaled \$1,623,565.

3. TRANSFER OF FUNDS.

Funds were transferred to the Subtreasury in 1915-16, as follows:

July.....	\$758,430
August.....	402,508
September.....	537,147
October.....	808,711
November.....	945,276
December.....	1,023,687
January.....	1,797,187
February.....	727,105
March.....	824,063
April.....	1,401,411
May.....	1,536,813
June.....	1,965,043
Total.....	12,727,331

The principal points from which these transfers were received are:

Ohio: Cincinnati, Chillicothe, Coshocton, and Wilmington.

Indiana: Terre Haute and New Albany.

Virginia: Staunton and Richmond.

Alabama: Birmingham.

Kentucky: Louisville, Maysville, Somerset, Lawrenceburg, and Catlettsburg.

Tennessee: Chattanooga.

West Virginia: Charleston.

Georgia: Rome.

4. FIVE PER CENT REDEMPTION FUND.

The Subtreasury received the following deposits from Ohio, Indiana, Kentucky, Tennessee, Virginia, West Virginia, and Alabama for credit to the 5 per cent redemption fund:

July.....	\$629,382
August.....	582,115
September.....	450,667
October.....	530,260
November.....	644,634
December.....	573,793
January.....	973,765
February.....	895,983
March.....	673,183
April.....	931,695
May.....	1,521,377
June.....	926,930
Total.....	9,333,784

5. REDEMPTIONS.

Currency.....	\$11,265,660
Gold and silver coin.....	565,424
Minor coin.....	4,811,234
Exchanges.....	12,119,910
Unfit currency shipped to Washington.....	34,921,000
Gold shipped to New York Subtreasury.....	2,400,000
Telegraphic transfers to local banks.....	2,409,400

The removal or discontinuance of the Subtreasury at Cincinnati would be a distinct loss to Ohio, Indiana, Kentucky, Tennessee, Virginia, West Virginia, Alabama, and Georgia.

Most of the banks in these States are directly or indirectly benefited by the Cincinnati Subtreasury. Banks within a radius of 300 miles from the city receive weekly shipments of coin and currency from this Subtreasury, to meet the demands for ready money of the kinds and denominations most needed.

The abandonment of this Subtreasury, which is located almost at the center of population, would be a burden placed upon the great business, agricultural, commercial, mining, and manufacturing interests of three northern and six southern States. These nine States can be served most advantageously from Cincinnati. The cotton interests, the tobacco interests, all crop movements, all the coal and mining interests of Kentucky, West Virginia, Tennessee, Alabama, and Georgia depend upon Cincinnati banks and the inexhaustible supply of moneys in the Cincinnati Subtreasury to carry them through all seasons and other active periods, and to oblige these States to transact business elsewhere would work a hardship to all their business interests by reason of the greater distances, causing loss of time, delays, and added expense.

The maintenance of the Subtreasury at Cincinnati costs about \$25,000 a year. There is no other branch of the Government service that directly and indirectly serves so large a territory at so small a cost as the Cincinnati Subtreasury. Its discontinuance for the sake of saving \$25,000 would be classed by the public as false economy, and rightly so.

To hand over the millions of trust funds, gold reserve fund, 5 per cent redemption fund, to any class of banks, without interest and without security, would be putting the stamp of approval on the long-worked scheme of certain big interests and their kindred alliances, which have been markedly diligent in divers ways to take away from the Government and its control its Independent Treasury, which has proved by its 70 years of existence to be the safest custodian of the Government funds.

No steps should be taken which would make it easier for those who wish to divorce the Government from control of its finances to accomplish their purpose.

The Subtreasuries perform valuable functions at very slight expense. They are great conveniences to the localities that they serve. Most of their functions can not be performed by the Federal reserve banks.

They are convenient and safe depositories for the gold coins and standard silver dollars that are held by the Government to secure its gold and silver certificates.

The Government should have its gold in different and widely separate parts of the country, so that it may be ready for use in case of disasters and emergencies and under its immediate control.

In case of war the safest places are those far removed from the borders or the sea.

The business of the Cincinnati Subtreasury has increased since the establishment of the Federal Reserve System, and its usefulness to the large territory it serves yearly becomes greater, and it is ideally located to serve this territory.

If the Subtreasuries did not exist, it would be a statesmanlike act to establish them.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. DAVIS of Texas having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment bill of the following title:

H. R. 1788. An act for the relief of Thomas M. Jones.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 10384) entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States," and had asked for a conference with the House of Representatives on said bill and amendments thereto, and had appointed Mr. SMITH of South Carolina, Mr. HARDWICK, and Mr. LODGE as the conferees on the part of the Senate.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The committee resumed its session.

Mr. LONGWORTH. Mr. Chairman, unless there has been a substantial change of sentiment, as I hope there has, I realize the practical futility of appealing to the judgment and logic of this committee when I remember that logic and judgment yesterday afternoon on this proposition were conspicuous by their absence. I must, however, take this opportunity to say a word in supplement to the remarks of my colleague. The two reasons most prominently urged by the proponent of this amendment to abolish the Subtreasuries in Boston and Baltimore are absent in the case of Cincinnati. The gentleman from Mississippi [Mr. Sisson] laid special stress on the fact that the balance at the Baltimore Subtreasury was very small—sixteen millions, I believe—and that Baltimore was within one hour of Washington. He urged these as the principal reasons for the abolition of the Subtreasury in Baltimore. In the case of Boston, while the balance was large, he stated that the clearing house had been abolished, and that Boston had a regional bank. As I say, in the case of Cincinnati both of these things are absent. The balance in the Subtreasury at Cincinnati is more than twice as large as Baltimore's. We are far distant from Washington, and we have no regional bank.

Mr. SISSON. Will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. SISSON. I want to state to my good friend from Ohio that it was the chairman of the committee that made those very strong arguments.

Mr. LONGWORTH. I will say that the majority members of the Committee on Appropriations are acting in substantial accord on this proposition, and their arguments, while not convincing, are the same. Now, I frankly admit that I am not entirely convinced as to the wisdom of retaining these Subtreasuries or as to the wisdom of abolishing them; but before I vote to abolish all of them I must be able to rely on higher authority than has thus far been cited. The authority upon which we are proceeding at present rests alone upon that of the gentleman from Mississippi. He confided to us yesterday that he had entertained the belief for the past two years that all of the Subtreasuries should be abolished. Now, I have the greatest respect for the opinion of my friend from Mississippi. I have no doubt that his reputation as a financier is probably second to that of no man in the great State of Mississippi. And yet I must for the moment, with all due respect to his great abilities, decline to accept the two years' belief of the gentleman from Mississippi as one of the eternal verities. The authority upon which we would have the right to rely as Members of this House is absent on this occasion.

Although not only requested but directed to report the facts to this Congress at the beginning of the session in the case of these Subtreasuries, and his recommendation as to whether they should be continued or discontinued, the Secretary of the Treasury has failed to make any report. I shall not say that he has treated the mandate of this House with contemptuous disregard; certainly, however, he has not responded to our request and direction. Of course, the Secretary of the Treasury is a very busy man. It is possible that he may be especially busy at this time in inventing new methods of padding the alleged Treasury balance in order to conceal from the public the true condition of the financial affairs of the country. [Applause on the Republican side.] At any rate, no report from the Secretary of the Treasury has appeared here, and, failing that, I am not prepared to vote to abolish the Subtreasuries of the country.

Mr. Chairman, the course which this committee seems determined to adopt with relation to the city of Cincinnati is not different from that heretofore pursued by the majority party of this Nation. At the time the Federal reserve bank law was passed it was conceded practically universally that the city of Cincinnati was to be the headquarters of one of the regional banks, and it was logic and reason that actuated that belief. The city of Cincinnati was the center, practically the exact center, of the region this bank was designed to serve. It was the hub of that financial district.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. LONGWORTH. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LONGWORTH. Cleveland, great and important as she is—and nobody recognizes that more than I—was geographically unsuited to have a regional bank. It is on the outer rim of this financial district; north of Cleveland there is nothing but water. Unfortunately, however, reason and justice were forced to yield to politics in this instance. A number of gentlemen high in the councils of the dominant party met here in Washington on the last day before the announcement was made of the location of the regional bank, and it was transferred—and I use the word advisedly—from Cincinnati to Cleveland.

The effect of this proposition is to transfer the Subtreasury now in Cincinnati to Cleveland, and I do not wonder at the smiling ardor with which my Democratic colleagues from the city of Cleveland participate in this slaughter when they realize that the effect will probably be to have more places to be filled by deserving Democrats. [Laughter.]

Mr. Chairman, I am not willing to participate in this wrecking proposition, nor am I willing to assist the Committee on Appropriations in the mangling and undoing of its own handiwork. [Applause.]

Mr. SISSON. Mr. Chairman, I have never posed as an expert either as a legislator or as a financier, and I do not believe it takes an expert in finance to know that these Subtreasuries are not needed. On the contrary, many Members of the House have repeatedly stated that they were needed. Nor have I ever asked any Member of the House to follow me in anything. I only ask that every man exercise his own judgment, because as a rule I do not think Members of the House are in a habit of following many people, but usually follow their own convictions. I do not believe that that indirect charge against the membership of the House by my good friend from Cincinnati is a just one. The gentleman from Ohio [Mr. ALLEN] stated the services which the Subtreasuries are now performing. None of us deny that the Subtreasuries perform some function now, but we contend that that function can be performed by the Federal reserve banks.

Mr. CHIPERFIELD. Mr. Chairman, will the gentleman yield?

Mr. SISSON. In a moment. It was stated at the time that the bill was passed that all of the duties now devolving upon the Subtreasuries of the country would be performed by these regional banks, and that they would be the depositories of the United States Government funds, but no step has been taken as yet, until this action of Congress, toward bringing about that very much needed saving of money, and that very much needed reform of placing the money to the credit of the Federal reserve banks, where it can become a reserve against which, in time of need and stress and storm, they may issue Federal currency. I now yield to the gentleman from Illinois.

Mr. CHIPERFIELD. Aside from the financial aspect which has just been mentioned, are there not many functions that pertain merely to the Treasury Department that are discharged by the Subtreasuries now, and that would not be discharged by the

Federal reserve banks without additional legislation transferring those functions?

Mr. SISSON. I do not think the abolishing of the Subtreasuries would in any wise change the duties of the Treasurer of the United States or the Treasury Department. I do not believe that the functions now performed by the Secretary of the Treasury and by the Treasury of the United States would in any wise be changed. For example, one thing that would be needed would be vaultage capacity for the purpose of storing the gold held by the Federal Government against the gold notes or the silver which may be held against the silver certificates, because all of the other currency and all of the other money would not have to be cared for, but would continue to circulate as it does now.

Mr. CHIPERFIELD. One more question, and I am asking purely for my own information and not in criticism of the measure. Is it not true that there are many things done by the Subtreasuries practically the same as if transacted with the Treasurer's office at Washington that could not be done at all by the Federal reserve bank?

Mr. SISSON. It may necessitate a great deal of business being transacted directly through the Treasury Department, correspondence and otherwise, which is now transacted through the Subtreasuries. But at last the Treasury officials at Washington control all of these deposits, and they are absolutely under their control and direction, so it is immaterial as to whether the money is kept in the Federal reserve bank or in the Subtreasury. There are only 9 Subtreasuries now and there are 12 regional banks, and for that reason you had better distribute the depositories, because the banks themselves voted on the location of these various regional reserve banks, and the Subtreasuries were located many years ago and the business of the country has grown, changed, and shifted.

Mr. ALLEN. Will the gentleman yield?

Mr. SISSON. I do.

Mr. ALLEN. Will it not require some additional legislation, even where reserve cities have a Subtreasury, to transfer the functions of the Subtreasury to the reserve banks?

Mr. SISSON. I believe if these Subtreasuries are abolished that we will instantly get from the Banking and Currency Committee, after you have abolished these Subtreasuries, whatever legislation will be needed to have these regional reserve banks perform the duties of the Subtreasury—

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SISSON. Mr. Chairman, I would ask for two more minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi that he have two more minutes? [After a pause.] The Chair hears none.

Mr. SISSON (continuing). To have them perform the duties performed by the Subtreasuries. Now, as the gentleman is aware—because he read from our request—it was our request of the Secretary of the Treasury that if there was any legislation needed to do this to suggest to us what it was. Now, in view of the fact there was no suggestion, in view of the fact, as has been stated on the floor repeatedly during the discussion of the Federal Reserve System, in view of the fact this action was contemplated last year, and in view of the fact the Secretary of the Treasury has given us no information, therefore we can conclude that there is no serious reason or he certainly would have notified us of what that serious reason was.

Mr. ALLEN. I will say this to the gentleman, that never in the history of this House, so far as I can recall since I have been here, has a committee acted where it has asked for a report from the department upon as important a matter as this without a report one way or the other.

Mr. SISSON. I want to say this to the gentleman: That if he will serve a while on the Committee on Appropriations, if he waits for reports to come from departments for reforms, he will wait a very long time. Now, the departments justify themselves in making estimates for an item solely because that appropriation is authorized by law, and, being authorized by law, it is their duty to make them until Congress shall change the law, and they assume no responsibility on earth for it.

Mr. LINTHICUM. Will the gentleman yield?

Mr. SISSON. I will.

Mr. LINTHICUM. You do not save any money by transferring this to the Federal reserve banks.

Mr. SISSON. Yes; because you get rid of the vast machinery and vast number of employees whom you have here.

Mr. LINTHICUM. These men are working all the time, and they would have to do the same when they are transferred to the Federal reserve banks.

Mr. SISSON. No; because those Federal reserve banks are transacting business every day and every morning with all the banks throughout the country, and this is putting only a little additional burden upon them.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for two minutes that I may ask him a question.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent that the time of the gentleman from Mississippi may be extended two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LINTHICUM. Mr. Chairman, I want to say that the clerks of the Federal reserve banks are working all the time and the clerks in these Subtreasuries are working all the time.

Mr. SISSON. At this time you may have to have a few more clerks in transferring this function to the Federal reserve banks, but nothing like the amount carried here, and no man will contend it.

Mr. LINTHICUM. Let me say one other thing—the Federal reserve banks are not at this time prepared to take over this work; They have not the vault capacity. You have provided some buildings, but they have not yet been—

Mr. SISSON. There is no reason on earth why those cities where the Federal reserve banks have vaults should not have time to prepare themselves to receive these funds.

Mr. LINTHICUM. But they are not prepared with the vaults they have now.

Mr. SISSON. Take New York, for instance. There is a Subtreasury there where they keep a great amount of money in their vaults, some of it to redeem notes, which vaults were especially prepared to take care of that. Now, there is no reason on earth why the duty performed by the Subtreasury in New York might not be performed by the reserve bank.

Mr. LINTHICUM. Allow me to say that in our district Congress has provided for the erection of a building in which there has to be an increased vault capacity because we have not the vault capacity, and now the gentleman wants to turn that over from Baltimore to Richmond, which is not prepared to take care of it.

Mr. SISSON. That is an additional reason why at this time we ought to take action rather than in enlarging the capacity of the vaults in all of the nine cities that do not have Federal reserve banks. Now, another thing. There are hundreds of cities in the United States whose business might be better served and not at the expense of the balance of the people. I grant you it might be a little more convenient for the city of Baltimore. I am absolutely impartial with respect to the city of Baltimore, because my own personal position has always been to have a universal plan in reference to dealing with this matter and not to take any one particular city, and, indeed, the gentleman will take notice I did not say a word in reference to the Baltimore matter.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Tennessee [Mr. BYRNS] is recognized.

Mr. BYRNS of Tennessee. It is perfectly evident, Mr. Chairman, that if Members wish to have an opportunity to take a recess for the holidays of even a few days, it will be necessary to speed up with this bill, and certainly I am sure we do not wish to take all of to-day in consideration of these Subtreasury items in this rather lengthy bill. I want to submit a request for unanimous consent, and that is that the Clerk now proceed to read without interruption the paragraphs on pages 60 and 61 relative to the New Orleans, the New York, the Philadelphia, the St. Louis, and San Francisco Subtreasuries, and that after he shall have concluded the reading it shall be in order to offer amendments to any of the paragraphs so read, and that debate upon all the amendments and all of the paragraphs be limited to 30 minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the Clerk proceed to read on pages 60 and 61 the paragraphs relative to the New Orleans, the New York, the Philadelphia, the St. Louis, and San Francisco offices, and that the time for debate be limited on all of those paragraphs to 30 minutes.

Mr. MANN. You had better make it an hour, 30 minutes to be used by those in favor of the propositions in the bill and 30 minutes by those opposed.

Mr. BYRNS of Tennessee. Then I will amend my request to make it one hour, 30 minutes to be used by those in favor and 30 minutes to be used by those against.

The CHAIRMAN. The gentleman from Tennessee amends his motion by moving to extend the time to one hour, 30

minutes to be used by those in favor of the proposition and 30 minutes by those against.

Mr. BYRNS of Tennessee. Upon all the amendments in their order.

Mr. IGOE. Who is to control the time?

The CHAIRMAN. The Chair will state to the gentleman that the Chair would recognize those in favor of and those opposed to the amendments.

Mr. IGOE. Reserving the right to object, it seems to me this matter ought to be disposed of, and some of us from these cities would like to have the privilege of a few minutes.

Mr. GORDON. You have had three-fourths of a day.

Mr. IGOE. Oh, no; I have not taken any time.

The CHAIRMAN. The Chair will state to the gentleman from Missouri that he will have an opportunity.

Mr. RAKER. Reserving the right to object, when the particular places will be reached or can it all be used at one place?

Mr. BYRNS of Tennessee. The request was that the Clerk proceed to read all the paragraphs on pages 60 and 61, and then amendments can be offered to any paragraphs, and the debate to be confined to one hour on all the paragraphs, and at the conclusion the vote be taken on all of the amendments.

Mr. RAKER. It may all be used on the first amendment.

The CHAIRMAN. Without objection—

Mr. RAKER. Mr. Chairman, I reserve the right to object.

Mr. BYRNS of Tennessee. I take it the same question is involved to all intents and purposes in every one of these paragraphs, and whether or not the debate is exhausted upon the first amendment or otherwise the whole range of the proposition will be covered.

Mr. RAKER. What I want to ask the chairman of the committee is, Will this be one motion to strike out the whole subject matter to be read by the Clerk so that all will be taken up as one amendment?

Mr. BYRNS of Tennessee. That is with the Chair. I do not know whether under the rules a motion like that will prevail or not.

Mr. RAKER. They can move to strike out all of the lines commencing with line 21 down to and including line 59.

The CHAIRMAN. Is there objection?

Mr. RAKER. Reserving the right to object—

Mr. BENNET. Mr. Chairman, reserving the right to object, I would like to ask the gentleman from Tennessee a question if I can have his attention.

Mr. RAKER. Mr. Chairman, I am not through yet. I would like to know whether or not it is the purpose of the chairman to make one motion to strike out all this matter.

Mr. BYRNS of Tennessee. The gentleman to whom the gentleman from California is addressing his remarks does not propose to make any motion. Of course, I do not know what any other gentleman may do.

Mr. RAKER. I see.

Mr. BENNET. I would like to ask the gentleman from Tennessee [Mr. BYRNS] what his plan is as to voting on any amendments to be offered, and where they will be offered?

Mr. BYRNS of Tennessee. My request was that the paragraphs which I have enumerated be read without interruption by the Clerk, and at the conclusion of the reading that amendments shall be in order to any of the paragraphs so read and debate upon all the paragraphs and all amendments to all the paragraphs be confined to 1 hour, 30 minutes to be consumed by those in opposition to any amendments that are offered and 30 minutes by those in favor thereof.

Mr. BENNET. Reserving the right to object, the situation, then, would be this, as I understand it: These paragraphs would all be read, and then there would be an hour's debate. And then after the debate any amendments could be offered, and when offered would immediately be voted on, which would leave us in a somewhat rather singular position—

Mr. BYRNS of Tennessee. The amendments would not necessarily have to be delayed until after the debate was concluded. They could be offered after the reading.

Mr. BENNET. That ought to be in the agreement.

Mr. MANN. Why not arrange to have an amendment in order to strike out all the paragraphs? That is the question.

Mr. BENNET. I do not quite concede that. The gentleman from Tennessee [Mr. BYRNS] seemed yesterday to make some distinction in reference to the Subtreasury at New York. My idea is that the principle relating to all of them is the same.

Mr. STAFFORD. If the gentleman will permit, I will say to the committee there is good ground, even though the Members vote for the elimination of all the others.

Mr. BENNET. That is what I thought. That is what the gentleman from Tennessee said.

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object, I wish to say that under this arrangement each State undertaking to defend its Subtreasury would be limited to five minutes in this debate, which would not be fair in any instance. If you allowed only a half hour, there being six paragraphs to be debated, it would mean five minutes to a side, which, on a question as important as this one, would be unfair.

Mr. BYRNS of Tennessee. I will say to the gentleman that several of the States have had pretty liberal representation on this question. I think the gentleman consumed 15 minutes himself.

Mr. MOORE of Pennsylvania. And never reached the merits of the question at all. [Laughter.]

Mr. BYRNS of Tennessee. It was not the speech of the gentleman from Pennsylvania; it was simply a call to arms to all those interested in these propositions.

Mr. MOORE of Pennsylvania. The gentleman confesses that it was a call to arms, and it was absolutely necessary to save the day; and, inasmuch as it saved the day, the gentleman is willing to pass by the humorous suggestions of the gentleman from Wisconsin [Mr. STAFFORD] and the gentleman from Ohio [Mr. GORDON] about "pork." I shall object to this motion unless more time is granted. I would not desire to have the fate of the Philadelphia Subtreasury settled in a five-minute discussion.

Mr. BYRNS of Tennessee. How much time does the gentleman think would be necessary?

Mr. MOORE of Pennsylvania. Bear in mind that the gentleman from Wisconsin [Mr. STAFFORD] has already indicated that the New York proposition ought to remain, and remember, too, that the Baltimore item is already in. That leaves the Members from the other places under the necessity of looking out for themselves. Baltimore is not included in this. There are nine propositions in the bill and at least six of them are in doubt.

Mr. BYRNS of Tennessee. Has the gentleman any suggestion as to the amount of time that would be proper?

Mr. MOORE of Pennsylvania. I think there should be at least 15 or 20 minutes allowed to a State.

Mr. BYRNS of Tennessee. Oh, the gentleman understands that it is very important to pass this bill as quickly as possible, and also other bills, if we are to have a holiday recess.

Mr. MOORE of Pennsylvania. I understand that; but it is also equally important that some or all of these Subtreasuries be retained. If the gentleman and his committee had given fair notice to the business interests involved that they proposed to take so radical a step as the abolition of all these Subtreasuries in the United States, it would be a different proposition. I contended yesterday, and I contend now, that it is snap judgment on the business men of this country to take action like this, I care not whether the opposition to these establishments comes from the Republicans or the Democrats.

Mr. BYRNS of Tennessee. Mr. Chairman—

Mr. FITZGERALD. I object, Mr. Chairman, to this debate until the time shall have been fixed.

Mr. MOORE of Pennsylvania. Oh, I can see how the chairman of the Appropriations Committee might object.

Mr. BYRNS of Tennessee. Mr. Chairman, the gentleman indicates that he thinks there ought to be 15 minutes allowed to a State.

Mr. MOORE of Pennsylvania. Yes.

Mr. BYRNS of Tennessee. I do not think there will be any particular objection to 15 minutes to a State if the gentleman is willing to accept that amendment.

Mr. MOORE of Pennsylvania. If the gentleman will yield 15 minutes to Pennsylvania, when the time comes I am sure we can protect ourselves and divide the time equally.

Mr. MANN. I suggest that you make it 45 minutes on a side. That would be right.

Mr. BYRNS of Tennessee. I count to make out an hour and a half, Mr. Chairman.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the paragraphs on pages 60 and 61, including New Orleans, New York, Philadelphia, St. Louis, and San Francisco be read, and that at the conclusion of the reading of those paragraphs by the Clerk there shall be one and one-half hours of discussion, one-half of which time shall be utilized by those in favor of the motion to strike out and half the time by those opposed to it, and that at the expiration of that time there shall be a vote taken on all the paragraphs and all amendments to the paragraphs.

Mr. BENNET. Reserving the right to object, Mr. Chairman, would not the gentleman conclude from the suggestion of the gentleman from Illinois that amendments could be offered at

any time within the hour and a half and be read without being taken from the time?

Mr. BYRNS of Tennessee. Yes; that was the spirit of the request which I submitted.

Mr. BENNET. Yes; but it was not so stated by the Chair. I suggest that amendments may be offered at any time during the hour and a half, but the time consumed in offering and reading them should not be taken from the hour and a half.

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object, is it also understood that 15 minutes of this time shall be occupied by Representatives of Pennsylvania?

Mr. BYRNS of Tennessee. That rests with the Chair. Of course he has, under this request, if it is granted, the distribution of the time. That rests with the Chair.

Mr. MOORE of Pennsylvania. We have had a gentlemen's understanding already that 15 minutes shall go to Pennsylvania.

Mr. MANN. That is easily arranged.

Mr. MOORE of Pennsylvania. But if we are not to keep that understanding I shall object.

The CHAIRMAN. The Chair would like to state to the gentleman from Pennsylvania that there are five items here, New Orleans, New York, St. Louis, Philadelphia, and San Francisco, and that time would not give more than 15 minutes on each for those who are against the motion.

Mr. MOORE of Pennsylvania. My understanding is that six items are to be covered.

Mr. MANN. That would give 15 minutes apiece for six items.

Mr. MOORE of Pennsylvania. If each item has 15 minutes, that would be in accordance with my proposition.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

New Orleans, office of assistant treasurer: Assistant treasurer, \$4,500;

Mr. LONGWORTH. Mr. Chairman, what action has been taken on the amendment offered by the gentleman from Mississippi [Mr. Sisson]?

The CHAIRMAN. None. The question is on the motion made by the gentleman from Mississippi.

The question was taken, and the Chairman announced that the yeas seemed to have it.

Mr. LONGWORTH. A division, Mr. Chairman.

Mr. DYER. A division.

The CHAIRMAN. A division is requested.

Mr. LONGWORTH. I ask that the amendment be again reported.

The CHAIRMAN. The Clerk will again report the amendment.

The Clerk read as follows:

Amendment offered by Mr. Sisson: Beginning with line 21, page 59, strike out the paragraph beginning with line 21 and ending on line 2 of page 60.

The CHAIRMAN. On this a division is demanded.

The committee divided; and there were—yeas 42, noes 66.

So the amendment was rejected.

The CHAIRMAN. The Clerk will proceed.

The Clerk read as follows:

New Orleans, office of assistant treasurer: Assistant treasurer, \$4,500; cashier, \$2,250; paying teller, \$2,000; receiving teller, \$2,000; vault clerk, \$1,800; assorting teller, \$1,200; clerks—one \$1,500, five at \$1,200 each, one \$1,000; typewriter and stenographer, \$1,000; day watchman, \$720; night watchman, \$720; messenger, \$600; in all, \$25,290.

Mr. Sisson. Mr. Chairman—

The CHAIRMAN. The Clerk has not finished reading.

Mr. Sisson. Mr. Chairman, I was on my feet to make a motion to strike out the paragraph.

The CHAIRMAN. The Chair understood that the Clerk was to read all these paragraphs without interruption, and then the motion to be made at the expiration of the reading of the paragraphs. The Clerk will proceed.

The Clerk read as follows:

New Orleans, office of assistant treasurer: Assistant treasurer, \$4,500; cashier, \$2,250; paying teller, \$2,000; receiving teller, \$2,000; vault clerk, \$1,800; assorting teller, \$1,200; clerks—one \$1,500, five at \$1,200 each, one \$1,000; typewriter and stenographer, \$1,000; day watchman, \$720; night watchman, \$720; messenger, \$600; in all, \$25,290.

New York, office of assistant treasurer: Assistant treasurer, \$8,000; cashier, \$4,200; assistant cashier, \$3,600; chief clerk, \$3,000; check pay division—chief \$3,000, assistant chief \$2,000, bond clerk and assistant vault clerk \$2,800, paying teller \$3,000, assistant paying teller \$2,250, receiving teller \$2,800; redemption division—chief \$2,700, assistant chief \$2,250, vault and authorities clerk \$2,500; coin division—chief \$2,700, assistant chief \$2,000, paying teller \$2,100; bookkeepers—chief \$2,400, 2 at \$2,000 each; clerks—1 \$2,300, 2 at \$2,000 each, 1 \$1,900, 1 \$1,800, 1 \$1,700, 4 at \$1,600 each, 7 at \$1,500 each, 9 at \$1,400 each, 5 at \$1,300 each, 10 at \$1,200 each, 1 \$1,000; messengers—2 at \$1,200 each, 5 at \$900 each, 2 at \$800 each; guards—chief \$1,500, 1 \$1,200, 2 at \$1,000 each; superintendent of

building, \$1,800; engineers—chief \$1,200; 2 at \$1,050 each; 8 watchmen, at \$720 each; 16 money counters and handlers for money laundry machines, at \$900 each; in all, \$154,460.

Philadelphia, office of assistant treasurer: Assistant treasurer, \$5,000; cashier, \$2,500; paying teller, \$2,250; coin teller, \$2,000; vault clerk, \$1,900; bookkeeper, \$1,800; assorting teller, \$1,800; receiving teller, \$1,700; redemption teller, \$1,600; clerks—1 \$1,600, 2 at \$1,500 each, 2 at \$1,400 each, 1 \$1,300, 5 at \$1,200 each; 1 \$1,000; chief guard, \$1,100; 5 counters, at \$900 each; 6 watchmen, at \$720 each; 4 money counters and handlers for money laundry machines, at \$900 each; in all, \$49,770.

St. Louis, office of assistant treasurer: Assistant treasurer, \$4,500; cashier, \$2,500; paying teller, \$2,000; receiving teller, \$1,800; change teller, \$1,600; coin teller, \$1,200; clerks—2 at \$1,500 each, 5 at \$1,200 each, 2 at \$1,100 each, 3 at \$1,000 each, 3 at \$900 each; 2 watchmen, at \$720 each; 2 janitors, at \$600 each; guard, \$720; in all, \$33,860.

San Francisco, office of assistant treasurer: Assistant treasurer, \$4,500; cashier, who also acts as vault clerk, \$2,800; bookkeeper, \$2,000; paying teller, \$2,400; receiving teller, \$2,000; clerks—1 \$2,000, 2 at \$1,800 each, 1 \$1,500; stenographer and typewriter, \$1,200; messenger, \$840; 4 watchmen at \$720 each; in all, \$25,720.

Mr. Sisson. I understand that under the unanimous-consent agreement a motion will lie to strike out all of these.

The CHAIRMAN. Yes.

Mr. Sisson. Mr. Chairman, I move to strike out all of the remaining Subtreasuries.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by striking out all beginning with line 3, on page 60, down to and including line 26, on page 61.

Mr. BYRNS of Tennessee. Mr. Chairman, I will consume only a very few minutes of time, for I do not desire to take up the time of those who stand for these various Subtreasuries.

As I stated on yesterday, the committee has been endeavoring for a year or two to obtain some information as to why all of these Subtreasuries should not be abolished and their duties transferred to the Federal reserve banks. In hearings conducted over a period of two or three years the matter has been very elaborately discussed and inquired into, and finally, being unable to secure any such information, the committee recommended to Congress the adoption of a provision asking the Secretary of the Treasury to submit information upon the subject at the beginning of this session of Congress. We failed to receive that information. In making this statement I am not criticizing the Secretary of the Treasury for his failure to promptly follow the mandate of Congress, because I have been informed that he was at that time and for some weeks prior thereto away from Washington, engaged in a very important official duty in connection with the farm-loan law, with reference to the location of the districts and the location of the farm-loan banks.

Mr. GOOD. Will the gentleman yield?

Mr. BYRNS of Tennessee. Not now; in a moment I will. Now, not having the information that we expected to get from the Treasury Department, the committee felt that they could very safely recommend the abolition of at least one of these Subtreasuries, feeling that if that was done it would not inconvenience anyone, and that it would at least bring forth some statement as to whether or not any of these Subtreasuries were necessary to be carried in the future. For that reason, as I stated upon yesterday, the committee selected Baltimore, for reasons which I then gave. It was the smallest one of the number. It carried only about 50 per cent of the funds carried by the smallest of the other Subtreasuries. In addition to that, it is within 40 miles of the city of Washington, and it seemed to the committee that there could be no serious inconvenience to which the bankers and business men of Baltimore could be subjected if it was abolished, because they were within an hour's ride of the city of Washington.

But I rose to call the attention of the committee to the fact that we had better go a little slow about abolishing all of these Subtreasuries in the absence of direct information from the Treasury Department as to what will be necessary in order to take care of the duties performed by some of them; and I want to call your attention to this report submitted by the Treasurer of the United States. I believe that some of them, probably most of them, can be eliminated now with perfect safety, but we should not hastily abolish all of them in the absence of information as to the steps necessary to provide for the taking over of their deposits and duties by the reserve banks.

I read to you on yesterday a statement as to the amount of funds carried by these various Subtreasuries upon November 29 of this year. In that statement as printed in the Record Philadelphia is shown as having \$225,000,000, whereas as a matter of fact it was \$25,000,000. Now, the Treasurer reports that on June 30, 1916, there was in gold coin in the Baltimore Subtreasury \$3,500,000 in round numbers; in the New York Subtreasury, \$155,500,000; in Philadelphia, \$14,000,000; in Boston, nearly \$24,500,000; in Cincinnati, \$19,300,000; in Chicago, \$77,000,000; in St. Louis, \$40,000,000; in New Orleans, nearly

\$9,500,000; and in San Francisco, \$72,000,000. In standard silver dollars there was on that date in the Subtreasury in Baltimore \$5,000,000; in New York, \$85,500,000; in Philadelphia, \$6,000,000; in Boston, \$1,500,000; in Cincinnati, \$3,800,000; in Chicago, \$9,500,000; in St. Louis, \$1,500,000; in New Orleans, \$16,000,000; and in San Francisco, \$23,000,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I hate to ask for more time, but I would like one more minute to complete my statement.

Mr. MOORE of Pennsylvania. I ask unanimous consent that the gentleman have the minute which he desires.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the time of the gentleman from Tennessee be extended one minute. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. In closing I simply want to submit this to the committee, whether or not, with this large volume of gold and silver coin in these various Subtreasuries, we can afford now at this time, with the little information we have, to abolish all of these Subtreasuries, in the absence of information as to whether there are proper vaults and proper storage facilities here in the city of Washington. It seems to me that the question answers itself, and I do not think we should go so far as to abolish all of them until we know that proper arrangements have been made to take care of the coin and that the reserve banks are fully equipped to take over their functions.

Mr. IGOE rose and was recognized.

Mr. GORDON. Mr. Chairman, the gentleman from Missouri is on the same side as the gentleman from Tennessee.

Mr. BYRNS of Tennessee. Which side is he on?

Mr. GORDON. He is with you.

The CHAIRMAN. The Chair will state that he will endeavor to be perfectly fair in the division of time.

Mr. BYRNS of Tennessee. I spoke in opposition to the motion of the gentleman from Mississippi.

Mr. GORDON. And the gentleman from Missouri [Mr. IGOE] is about to speak in opposition to it, too.

The CHAIRMAN. The Chair will recognize the gentleman from Missouri [Mr. IGOE] and will take account of that in the division of the time.

Mr. IGOE. Mr. Chairman, I am glad that the chairman of the subcommittee has stated that he is opposed to the motion of the gentleman from Mississippi [Mr. Sisson]. I do not know whether this Government will be able to dispense with these Subtreasuries eventually or not, but it seems to me it would show a lack of business sense for this House now, in the absence of a recommendation from the Treasury Department, to proceed to abolish them at this time.

As far as the gentleman from Mississippi is concerned, I would not want to rely much on his knowledge as to what was necessary for the financial business of the world, in view of the statement he made here yesterday that there were \$500,000,000 in the Subtreasuries which could be put into commerce. There is not more than \$125,000,000 in Washington and the Subtreasuries available for the business purposes of the Government. The gentleman talks about \$500,000,000—those are trust funds. There is not vault room enough in Washington for any more of this money, and there is not vault room in the Federal reserve banks. In St. Louis alone it would cost somebody more money for vault rent than the Government is now paying in salaries to men connected with the Subtreasuries. If you abolish the Subtreasury, you not only handicap the banks in St. Louis but in Oklahoma, Arkansas, Kentucky, Indiana, and practically every State east of the Rocky Mountains that does business with St. Louis. The little banks in the country send their money to St. Louis for redemption. The banks take it to the Subtreasury, and it is redeemed. If the Subtreasury is abolished, the little banks will have to send their money to Washington or some other depository selected by the Government, at an expense to somebody.

Now, there are some people who do not want to do anything for the banking institutions of the country. But we have branches of other agencies of the Government, and why should we not have branches of the Treasury Department scattered through the country in order to accommodate the financial interests of this country? It will cost somebody money to do the work that the Subtreasuries are now doing. I am informed, in addition to that, that if the money is sent to Washington for redemption it will take from 10 days to several weeks for the banks to get the accommodation they get now in 24 hours. The Subtreasury in St. Louis is costing this Government only the salaries which it pays.

Now, you can not take the gold and silver out of the Treasury and put it in the Federal reserve bank without some warrant of law, because it is a trust fund held by the Treasurer of the United States. Furthermore, the Government does not own the Federal reserve banks. We can tell the subtreasurer what to do, and it is my guess that the Federal reserve bank of St. Louis, when it came to do all this work, would want some compensation from the Government for doing it. I do not believe you can save a single penny. I want to call attention to the fact that when the accounting work was transferred to Washington some years ago it was said that we would save money. I want to ask any Member if the Government has saved a single penny by the transfer of that work.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GORDON. Mr. Chairman, at the opening of the discussion the distinguished leader of the Republicans and some other Members challenged the advocates of the different Subtreasury cities to give one public reason for the maintenance of these Subtreasuries. Not one has been given up to this minute, not a single public reason. They say the Government will keep on paying these express charges on the money that they send for at Washington, as it has been doing for over 40 years.

Mr. COADY. Will the gentleman yield?

Mr. GORDON. No; I will not yield. They say they can exchange their old and mutilated money for new bills without paying the express charges, as the rest of the country has to do. Are those public reasons? Certainly not. This thing has developed and concentrated into a mere fight for "pork." I leave it to any intelligent Member of the House if a single public reason has been given for the maintenance of the Subtreasuries; nothing but private reasons.

Now, this matter is not new. The Congress of the United States passed, and the President of the United States approved, a law a year ago calling upon the Secretary of the Treasury to present to the Congress any public reasons that existed for the longer maintenance of these Subtreasuries. Presumably if any public reason had existed we would have been advised by the Treasury Department of those reasons. Nearly a year has elapsed, and we have the right to assume from his silence that no public reason exists, especially in view of the fact that nobody here has undertaken or pretended to give any public reason.

Now, there may be some way devised by the leaders of this House to obtain an answer to this enactment which was embodied into law. If there is it ought to be resorted to.

Mr. GARDNER. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. GARDNER. Is it not true that the Secretary of the Treasury sent in estimates calling for appropriations for these Subtreasuries?

Mr. GORDON. Of course, he did; that is the law. There is nothing in that; he has to recommend estimates for the conduct of the Treasury Department. He is required to do that. That illustrates the kind of argument that has been presented here.

Mr. GARDNER. Will the gentleman yield further?

Mr. GORDON. No; I will not. Let me call attention to this foolish argument that because the Treasury Department has asked for the salaries of these men—and, of course, the salary graft is about all there is in it aside from making the Government pay the express charges on the money—because the Secretary of the Treasury, an executive officer of the Government, has estimated for the salaries provided by law for these officers, therefore he is approving the Subtreasuries. Of course, that is a violent inference, but it illustrates the character of the argument that has been presented here by Representatives of the different localities in order to maintain these institutions for the purpose of having a few high-salaried men in their cities and compelling the people of the United States to pay the express charges for the banks on money from the National Capital. If any public reason exists for the longer maintenance of the Subtreasuries, I wish some one would state it. We have not had any up to date.

Mr. PARKER of New Jersey. Mr. Chairman, I am very glad to have the opportunity of speaking now, because I want to deal with this matter in a purely public way. I come from a State which has no Subtreasury, and I am not interested in the matter except for public reasons. I belong to a party which was not the party of the originator of the Subtreasury scheme, Andrew Jackson, when he was President of the United States, and who said that the Government funds, small as they were then, ought to be held by the Government itself, and not be subject to banking deposits and loans. I see that we now have \$897,000,000 of gold coin and \$1,192,000,000 of gold bullion, assets of

the Government, of which \$1,835,000,000 are represented by gold certificates outstanding, and some hundred millions are held for the Government itself.

December 13, 1916.

ASSETS.

Gold coin.....\$897,061,769.21
Gold bullion.....1,192,494,960.51

2,089,556,729.72

LIABILITIES.

Gold certificates.....1,835,898,509.00
Reserve fund.....152,979,025.63
General fund.....100,679,195.09

2,089,556,729.72

It has perhaps become entirely too much the practice of the Government to keep all of these funds in Washington. They may be kept in the various Subtreasuries.

I submit to this membership, who remember that this Capitol was once burned, that New York was in the hands of Great Britain during all of the Revolution; that our coast towns are all more or less in danger. I submit that it is right that we should have various places in which to keep that large fund of two thousand millions of dollars in case of necessity, and that the Subtreasury scheme is therefore a matter of safety.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. PARKER of New Jersey. I have only five minutes. I believe it to be also a matter of convenience, and that when large exports and imports of gold are going on at various ports it is better to keep a sufficient stock of gold in those ports to send backward and forward than it is always to send to Washington for the gold and pay the freight. We are doing that now, and it is quite unnecessary if we only kept fair deposits in these Subtreasuries. I believe that the Subtreasuries run a large part of the Treasury business as well as the pension business of this country, and while this last is diminishing to some extent, they are doing it very well, and it will make an upturn to move that business somewhere else. I believe that those Subtreasury buildings are of some importance and value. The one in New York City is on the site where Washington took his oath of office as the first President of the United States, in the very heart of the financial district. It is worth tens of millions of dollars, that site alone, and I have never yet seen a change in which Government property was sold where the Government got the best of it. Somebody else always gets the best of it. I do not know all about this matter, but I do know that when the supporters of this amendment say that they have no information but yet want to abolish the system of keeping our Government funds in our own hands where they will be at our disposal in case of panic and not subject to banking uncertainties or measures, when they ask me to change this system without information I refuse to do it, for I refuse to take a leap in the dark. [Applause.]

Mr. BENNET. Mr. Chairman, I agree with the view expressed by the gentleman from Ohio [Mr. Gordon] to this extent, that it seems to me that when proper legislation is adopted there ought to be no public necessity for a Subtreasury and a Federal reserve bank in the same city. Until that proper legislation is adopted, basing my knowledge only upon the Subtreasury in New York City, there are some public functions which must be discharged by the Subtreasuries. I clipped from some newspaper last night this item which I hold in my hand, to the effect that \$10,000,000 more gold has arrived here, and which goes on to say that there have been shipped to the United States, every dollar of it to New York City, \$602,000,000 in gold since the 1st of January, and that the shipments are now coming in at the rate of eight and nine and ten million dollars a day, making a total of \$27,000,000 in three days. If there was proper legislation, the Federal reserve bank could take care of that; but until they are authorized by law to do it, until they have been given vaults to do it, which can not be done if you abolish the Subtreasury at New York by this bill, you must do one of two things, you will either have to provide a substitute before the 4th of March or you will have to have an extra session of Congress to provide some substitute there to take care of the nine or ten million dollars of gold that is coming into the city of New York every day, and that is going out in part to other places.

Then you have to do another thing. Under the Walker Act of August 8, 1846, a great Democratic measure—and I do not agree with the gentleman from Ohio, Democrat though he is, that it has no merit—all customs duties are payable in gold or Treasury notes. Of course, that has been modified since the Walker Act, but it has been modified through the agency of the Subtreasuries, and the Subtreasury in New York, for the convenience not so much of New York as for other parts of the country, has by law been made a member of the clearing house

in New York City, so that a concern in Nashville or Memphis or any other place that wants to pay customs duties in New York City—and 70 per cent of the customs duties are paid there—can arrange with the local banks in their own communities for a New York draft, and through the medium of a New York draft they can pay their customs duties in New York City. That could be arranged by the Federal reserve bank, but we have not passed the legislation yet to do that. That is another public function.

Mr. PLATT. Mr. Chairman, what becomes of the customs that are collected in Seattle and Portland, Oreg., Galveston, and places where there are no Subtreasuries or Federal reserve banks?

Mr. BENNET. That has nothing to do with what I am discussing. It is the first irrelevant question that I have ever heard my colleague ask.

Mr. PLATT. But the gentleman was talking about the collection of customs.

Mr. BENNET. I was not.

Mr. PLATT. That is what I understood him to be talking about.

Mr. BENNET. Oh, the gentleman was standing in the aisle talking to some one.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. FESS. I recognize the force of what the gentleman says in reference to the New York Subtreasury, but I do not see that that would apply at all to Cincinnati, in my own State.

Mr. BENNET. I do not say that it would apply to Cincinnati. Cincinnati is safely under the blanket and out of the question. I am a practical man.

Mr. FESS. Not by my vote.

Mr. BENNET. By the vote of the committee. I am not familiar with the arguments, pro and con, in respect to the other Subtreasuries as I am in relation to the Subtreasury in New York City.

Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has half a minute remaining.

Mr. BENNET. I ask unanimous consent that I may have my time extended half a minute, so that I can have a full minute.

The CHAIRMAN. The gentleman from New York asks unanimous consent that his time may be extended for half a minute. Is there objection? [After a pause.] The Chair hears none.

Mr. BENNET. Mr. Chairman, I desire simply to say this, that I do not think that this House, knowing that the Senate will put these things back anyway, because we have not done a workmanlike job, ought to do anything more to lower this House in the estimation of the people as compared with the other body than we have already done. Bring out some legislation that is germane and good, and I will vote to abolish the Subtreasury in New York and transfer its functions to the Federal reserve bank, but I am not going to vote for any crude, coarse work that does not substitute anything that is workable in the place of the necessary governmental functions of the Subtreasury at New York. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, so far as I am concerned, in view of what has taken place on the floor, I am prepared for a vote at the present time, but as something has been said in respect to other Subtreasuries, I feel it my duty to say just this much about the Philadelphia Subtreasury. It happens to be housed in the building of the original Bank of the United States, which was crushed by Andrew Jackson, who was opposed to a centralized banking system in this country. It seems to me, whether we think we are doing so or not, we are gradually returning to a centralized banking system, and that if we were to put all the money of the Government, currency and coin, in one receptacle in Washington, or in any one building here, it would be a dangerous thing. We should not keep all our eggs in one basket. The fact with regard to the Subtreasury at Philadelphia, which has been in successful operation for upward of half a century, is, that at the present time it does a distinct service to the people of three States in the matter of the housing of funds, the transfer of funds, redemptions, and exchanges—Pennsylvania, New Jersey, and Delaware. Those three States are directly served by the Subtreasury at Philadelphia. So far as the banking interests are concerned they say that to remove or abolish the Subtreasury would be a distinct disadvantage or loss to business men generally. At that Subtreasury they now cash warrants that are presented through the various banks of those three States, pay all checks of pensioners of the Government which come in through the banks, redeem various kinds of money offered for redemption, and circulate throughout the country the small

money that is coined at the United States Mint. At present the United States Mint is running full tilt day and night to produce the subsidiary coin that is needed to meet the increased demand of people all over the land. That money is passed over to the Subtreasury in bulk for distribution. Distribution might be had from here in Washington, but it would be at much additional expense.

I hope my colleague [Mr. McFADDEN] from Pennsylvania, who is more familiar with the expense side of this question, will show what it means to transfer this Subtreasury system to the system organized under the Federal reserve bank. So far as the Federal reserve bank is concerned, it has an office in Philadelphia, a central office, and it does its business through the Subtreasury of Philadelphia, where its funds are housed. Now, some gentlemen have been facetious since this discussion arose, and instead of dealing with the proposition on its merits have suggested that to retain these Subtreasuries would simply be to dispense more "pork" to somebody. Well, that charge can not lie against the party to which I belong just now, because those holding office in the Subtreasuries of the United States belong to another party. I have no special reason for seeking to hold them in place as a matter of "pork." They do not belong to the party to which I belong.

Mr. SMITH of Minnesota. Mr. Chairman, will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has one minute.

Mr. MOORE of Pennsylvania. I regret I can not yield. Now, if there is any "pork" in this transaction, it is not Republican "pork"; it is not business men's "pork." It is the "pork" of certain appointees of the President of the United States whom he has not yet indicated to the Secretary of the Treasury he desires to remove. There are 36 men employed in the Subtreasury of the United States besides the Subtreasurer who would be affected if we were to abolish the Subtreasury. Even if we transfer its functions to the Federal Reserve System at such enormous expense as it would entail, we would still have to provide for a subtreasury system. I assume there would simply be a transfer of men from the Subtreasury, or the appointment of new men to take the place of men discharged, hence the cry of "pork" does not lie, even against the Democratic Party. I have received a number of telegrams this morning from business men, bankers, and others in my city, indicating that to remove the Subtreasury, in view of its proximity to the mint, would be a retrograde movement. It would, in their judgment, be a backward step. I trust this House will not permit it to be done, in view of the scant information we have from the officials of the Government on the subject. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARDNER. Mr. Chairman, I do not know what a subtreasury exists for. I have no more idea than the man in the moon what a subtreasury does, and most of you have not any idea, either, and still you are all voting on what you know nothing about. Yet knowledge is right at our doors if we want to seek it. Last year when we passed the legislative bill we adopted this provision of law:

The Secretary of the Treasury is authorized and directed to report to Congress at the beginning of its next session which of the Subtreasuries, if any, should be continued after the end of the fiscal year 1917, and if, in his opinion, any should be continued the reasons in full for such continuance; also if any or all of said Subtreasuries may be discontinued what legislation will be necessary in order to transfer their duties and functions to some other branch of the public service or to Federal reserve banks.

Now, a few minutes ago I telephoned down to the Treasury Department and got into communication with Mr. Malburn, one of the Assistant Secretaries of the Treasury, and I asked him where that report is and whether it has been prepared. He said he did not know whether the report has been finally passed on, but that he himself had been asked by the Secretary of the Treasury to prepare his views, inasmuch as he is in charge of the Subtreasury branch of the service, and that he had prepared his views and had submitted them to the Secretary of the Treasury.

The Secretary of the Treasury has been out West. He returned on the 9th of December, but apparently nothing has been done toward finishing this report. Here we are legislating without the information which we asked for nearly a year ago. Here at our doors is the department charged with the duty of reporting to us, and yet no one until this morning, so far as I know, has made the slightest effort to find out what the Secretary of the Treasury actually thinks about the whole business.

Now, gentlemen, you are going ahead legislating in the dark. You have only one indication of what the Secretary of the Treasury thinks about it all, and that indication comes to us as a sidelight. Instead of promptly sending you, as he ought to have

done, an answer to the question which you asked last year, he has ignored your wishes. Instead of sending you information he has sent you estimates of the amount necessary to pay for the continuance of these Subtreasuries. If all that does not constitute a prima facie case either of negligence on the part of the Secretary or else of a desire to have those offices continued, I do not know what significance is to be attributed to his actions. [Applause.]

The CHAIRMAN. The gentleman from California [Mr. RAKER] is recognized.

Mr. RAKER. Mr. Chairman, it seems to me the statement made by the chairman of the subcommittee, the gentleman from Tennessee [Mr. BYRNS], in a way answers the matter clearly to the effect that this amendment should not be agreed to. I am strongly opposed to this amendment. The whole matter should be voted down. These Subtreasuries have been doing splendid work and are necessary. I think the one in San Francisco, contained in the neighborhood, as stated, of \$72,000,000 in gold; of silver dollars, in the neighborhood of \$22,000,000; and subsidiary silver coin, \$1,157,000, on June 30, 1916. That, with all other moneys or certificates, amounts to the round sum of \$99,321,070.70.

The Subtreasury is housed in a new building erected by the Government. It is for business purposes, the scope of which covers the entire western portion of the United States, the Rocky Mountain and intermountain regions, and the Pacific coast. The reasons have been already stated here in other cases, and there is no use to restate them. I can not see how my friend can see "pork" in a legitimate Government enterprise for the purpose of building up the business of the country. One gentleman who suggested "pork" has not studied the bill or he would not make any such statement. If the last gentleman speaking had read the hearings before the committee he would have recognized the fact that this matter has been in process of investigation by the Treasury Department, and they told the committee clearly and fully that the report was not completed, that investigations were being made, and that the Secretary was giving his personal attention to it; that other business was so great that he could not have it completed. And in the final part of their hearings he makes the same statement.

As to holding administrative appointees in office, one only has to read the estimates and notice there is only from one to two in each one of these Subtreasuries who are appointees. Ninety-five per cent are those under civil service, have been there for years, giving efficient service in behalf of the Government and in behalf of legitimate enterprise in order that the money may be scattered over the United States at places where it is most needed and where it is necessary for legitimate enterprises. These are Government functionaries, proper and necessary.

Mr. PLATT. I would like to ask the gentleman a question which I attempted to ask my colleague from New York [Mr. BENNET].

Mr. RAKER. I do not know whether I can answer it, but I will submit to the question.

Mr. PLATT. In places where there are no Subtreasuries, like Seattle, do they not get along just as well as they do in San Francisco, where there is one, or Portland, or at other places?

Mr. RAKER. They send money at times to the Subtreasury at San Francisco from Seattle; and would you send it from San Francisco or the Pacific coast States to Washington? This subtreasury in San Francisco has been necessary and has been an efficient agent of the Government. It has been one of vital financial importance and is one of much assistance; and, of course, there has not any possible reason or possible excuse been given here, except that some one stated we ought to strike it out; not that, I believe, they are in favor of striking it out, but sometimes some people, somewhere, want to make a show of pretended economy. That is about all.

Mr. PLATT. Do not the banks do exactly the same thing where there is no Subtreasury?

The CHAIRMAN. The time of the gentleman from California has expired. The gentleman from Ohio [Mr. FESS] is recognized.

Mr. FESS. Mr. Chairman, I voted for the elimination of the Subtreasury at Baltimore, also at Boston, also at Cincinnati, and at Chicago. That did not mean I would necessarily vote for the elimination of all of them, because I thought there might be an exception in the case of New York on the ground of its being the chief port of the United States, to which such a mass of the gold would come in the course of trade. So that a position against the Subtreasury does not mean that every single one of them ought to be eliminated. The reason I voted to eliminate the Subtreasury eventually is because when we passed

the Federal reserve act two years ago it was argued that one of the functions of the Federal reserve act was to unify the financial operations from the standpoint of the General Government, and not have them so diversified under various heads, requiring double overhead charges, and for that reason I allude to the time when the functions of the Subtreasury will be taken over by the Federal Reserve Board.

In the city of Cincinnati we do not have either a regional bank or a branch of the bank. We will not have, I take it, as long as the Subtreasury exists there. If we want to operate through the General Government at Cincinnati and be a part of the Federal Reserve System, the first step will be to eliminate the Subtreasury as a condition to having that.

Mr. LONGWORTH. Will my colleague yield for a question?

Mr. FESS. And for that reason, to unify, I voted to eliminate the Subtreasury there.

Mr. LONGWORTH. Will my colleague yield for a question?

Mr. FESS. I will.

Mr. LONGWORTH. The city of St. Louis, as I understand it, has both a Subtreasury and a branch bank.

Mr. FESS. I would say to my friend that the regional bank was not located at St. Louis because the Subtreasury was there or absent, but rather because of the region to be served. I was as active as possible to locate the regional bank of Ohio at Cincinnati. I did all I could, believing, as my friend does, who so well restated the reasons a moment ago, that there is the point where it ought to have been located. It was not located there; but it was not because there was a Subtreasury, however, so far as I know, but for reasons entertained by the authorities which I do not have.

Now, my point is that the Subtreasury in St. Louis did not locate the regional bank there and had not very much to do with it.

Mr. LONGWORTH. The gentleman argues that the mere fact that there is now a Subtreasury in Cincinnati necessarily prevents the establishment of a branch bank there?

Mr. FESS. I do not think the initiation for a branch bank will be taken up while the Subtreasury exists there. Why not unify it, unless the Subtreasury performs necessary functions not within the purview of the Federal reserve act.

Mr. LONGWORTH. If the gentleman will pardon me, in all probability, I think he will admit, additional legislation will have to be passed before the functions of the Subtreasury can be given over. We have called upon the Secretary of the Treasury to furnish us with that information. We have directed him to do it, and he has failed to do it. Therefore, is not this a bad time to start legislating in the dark, when we do not know that further legislation will be necessary?

Mr. FESS. The fact that the Secretary of the Treasury was directed to give reasons for continuing any of these Subtreasuries, and in case of no reason for so doing to give Congress the necessary legislation in case of discontinuance, and no such information nor reasons have been given, would appear to me to be tantamount to an absence of reasons because they do not exist. The difficulty of discontinuing enactment here is but another evidence of the reluctance of Members to vote out an institution once established, no matter whether important or not.

The CHAIRMAN. The time of the gentleman has expired. The Chair recognizes the gentleman from Pennsylvania [Mr. McFADDEN].

Mr. SISSON. Mr. Chairman, I would like to ask this question: On what side is the gentleman?

The CHAIRMAN. The Chair is advised the gentleman is opposed to the motion.

Mr. SISSON. I do not know whether any gentleman on this side desires to speak or not, but, if so, the gentleman from Texas [Mr. DAVIS] is asking for recognition. I do not know on which side he is going to talk.

The CHAIRMAN. The Chair recognized the gentleman from Ohio [Mr. Fess], who favored the motion. The Chair now recognizes the gentleman from Pennsylvania [Mr. McFADDEN], who is on the opposite side. The gentleman from Pennsylvania is recognized for five minutes.

Mr. McFADDEN. Mr. Chairman and gentlemen of the committee, no doubt in this plan to abolish the Subtreasuries of the United States the framers of the Federal Reserve Banking System had in mind eventually to take over all the functions of the present Subtreasuries. However, in that connection, it seems to me, that if the Federal Reserve Banking System is to take over the functions of these various Federal Subtreasuries, the 12 Federal reserve banks must be provided with the necessary equipment, such as vaults and employees, and so forth. That would mean additional expense and burden to the Federal Reserve Banking System.

This plan as it is now being operated costs the Government of the United States probably a round half million dollars; to be exact, \$431,920 this bill provides, without the appropriation for the Subtreasury at Baltimore, Md., which is dropped in this appropriation bill, and no appropriation provided for.

Mr. MOORE of Pennsylvania. Which plan—the Federal Reserve Banking System?

Mr. McFADDEN. To run the present system of Subtreasuries. If these functions are to be assumed by the Federal Reserve Banking System, I believe there should be a corresponding arrangement made so that the burden of carrying on these functions, which are now being paid for out of the Treasury of the United States, will, and should not be placed upon the Federal Reserve Banking System.

It is well known that the stockholders of the Federal Reserve Banking System have not been receiving returns in the way of dividends on the stock invested in the Federal Reserve System, and the member banks are also compelled to segregate their reserves in the regional banks of the Federal Reserve System on which they are not receiving any interest. If under this plan they are to be still further burdened with the expense of carrying on the business now being conducted under the present Subtreasury system, it seems to me there should be a corresponding remuneration to the Federal Reserve Banking System for this service.

Mr. SMITH of Minnesota. Mr. Chairman, will my colleague yield?

Mr. McFADDEN. Yes.

Mr. SMITH of Minnesota. Does not the gentleman think that the reason why the banks are not receiving dividends on their stock in these Federal reserve banks is the fact that the Federal reserve banks are doing very little business? This added business would not be a burden to them, so that they could carry it on with their present equipment and help without any great additional expense, and thus save this half million dollars which we are now paying out to carry on our Subtreasury system.

Mr. McFADDEN. These Federal reserve banks would have to have additional equipment, including vaults and employees, to carry this burden.

Mr. GLASS. Mr. Chairman, will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. GLASS. It is a totally erroneous assumption that the Federal reserve banks are not paying dividends, because they are.

Mr. McFADDEN. In regard to that, I will say that I am the president of a bank in Pennsylvania which is a member of group 3 of the Federal Reserve Banking System, and up to this time they have not paid any dividends to the stockholders.

Mr. GLASS. Two of them have not paid dividends, but 10 of them have.

Mr. McFADDEN. It is a fact, however, that the member banks, "particularly the country member banks," of the Federal Reserve System feel that they are burdened beyond what they ought to be in the operation of the Federal Reserve System, and with this additional Subtreasury burden placed upon them I am one who believes that there should be remuneration for it. [Applause.]

Mr. Chairman, it seems to me that in abolishing this system of Subtreasuries throughout the United States, which Subtreasuries have for many years, and are now serving a very useful purpose, that if they are to be abolished, as is contemplated by the sponsors of the Federal reserve act, and the functions of these Subtreasuries assumed and performed by the Federal Reserve Banking System, that a complete and definite working plan should first be proposed and presented to this House. As has been stated here, the last Congress requested the Secretary of the Treasury to make a report to this Congress on the question of abolishing the present Subtreasury system. This the Secretary has failed to do. The adjustment of this matter now comes before the House in the present appropriation bill. While we have the tentative assurance that the business conducted by the Subtreasuries in the cities of Baltimore and Boston could probably be assumed by the Federal Reserve System, we have no definite information, however, on this subject. The only alternative left to us, then, if the appropriation is not made by this Congress to continue the Subtreasuries at Baltimore and Boston, is that they will simply be compelled to discontinue operations, with no definite arrangements made for the carrying on of the business formerly conducted at these two Subtreasuries.

The taking over by the Federal Reserve System of the functions of the present system of Subtreasuries brings up for consideration several important questions in connection with these various duties. The United States Treasury and these Sub-

treasuries are acting as trustees of trust funds, of gold and other coins upon which certificates or warehouse receipts are issued, and a vast amount of gold coin and bullion is being stored in these institutions; and the discontinuance of these vast sums and the continual increase of the same owing to the influx of foreign gold into this country is a matter which deserves very careful consideration and thought as to where these large sums of gold, and reserves are to be stored; and Congress in considering this should give very careful consideration as to the geographical location of these vast amounts of gold reserves. This, to my mind, is a preparedness proposition, and the practice of storing these gold reserves at easily accessible points of attack is a vital source of weakness. Suppose, for instance, that it was a fact that there were 30 carloads of gold stored in the vaults of the Subtreasury in the city of New York at the present time, might it not be a temptation to some foreign country whose gold reserves are being fast depleted to attempt to seize any one of the easily accessible unprotected storage points, and might it not be a serious menace to this country if these gold reserves were suddenly withdrawn or seized, and the gold certificates which are in circulation in this country be immediately transformed into Treasury notes with simply the straight I. O. U. of the United States back of them?

Mr. Chairman, these are serious thoughts to consider; but I believe that this is a serious matter and that this Congress should formulate a definite plan of segregating into the safest zones of the United States these vast gold reserves, and that the plan should contemplate a definite and concrete form of law covering the handling of the vast amount of business which these Subtreasuries have been doing.

The banks of the country are lessening their responsibilities in the caring for, of these large gold reserves by taking to the Federal reserve banks, gold coin and getting Federal reserve notes, in lieu thereof, and are thus shifting the responsibility of the caring for of these vast amounts of gold coin to the Federal Reserve Banking System, which system is accepting the added responsibility by stretching, I believe, the intent of the Federal reserve law, which, in my judgment, is a dangerous function and should be discouraged rather than encouraged.

Mr. GLASS. Mr. Chairman, I have thought and have said to the members of the Committee on Appropriations that it would be a most inexpedient and unwise thing, without adequate information, or any information at all, indeed, for Congress to abolish all of these Subtreasuries, and therefore I shall not vote for the proposition to abolish them indiscriminately. [Applause.]

It was in contemplation when we established the Federal Reserve System that, ultimately, we would dispense with the various Subtreasuries. But to do it in this ill-considered and haphazard way—merely by expunging appropriations for their maintenance—would be both unbusinesslike and harmful. In the first place, the Federal reserve banks, most of which have not homes of their own, have not the facilities now to transact this business. They have not the storage capacity for the coin; they have not an organized clerical force sufficient for the work; it is not certain how much or what part of the work the banks can do; and therefore to undertake the indiscriminate abolition of the Subtreasuries would to my mind be folly.

Mr. MEEKER. Mr. Chairman, will the gentleman yield for one question?

Mr. GLASS. Certainly.

Mr. MEEKER. At the present time have we such a law as would make it possible to transfer now the Federal business from the Subtreasuries to the banks?

Mr. GLASS. I think we have ample legal warrant for it, for the reason that the Federal reserve act expressly provides that the Secretary of the Treasury may constitute the Federal reserve banks the fiscal agents of the United States Government, and under that authorization of law, in my judgment, the greater part of the business of the Subtreasuries could legally be transferred to the Federal reserve banks. The details would have to be devised either by a carefully prepared statute or by equally carefully prepared regulations. But I do not believe that the Federal reserve banks are in position now to take over all of the business of the Subtreasuries. In fact, I know that such is not the case; and to attempt the transfer by the elimination of all these items from this appropriation bill is not the way to go about it.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. KENT. Will the gentleman yield right there?

The CHAIRMAN. Does the gentleman yield, and to whom?

Mr. GLASS. Yes; I yield to the gentleman from California.

Mr. KENT. I would like to ask if there is any provision now whereby the physical property of the Subtreasuries shall be transferred for the use of the Federal reserve banks?

Mr. GLASS. The whole authority, whatever there may be, is embraced in the authorization to the Secretary of the Treasury to constitute the Federal reserve banks the business agents of the United States Government. I think that power is broad and ample enough to transfer the greater part of the business of the Subtreasuries; and I believe that, eventually, that will be done. But to undertake to do it without any sort of enlightenment on the subject, without any knowledge, really, of the effect of what we are doing right now, seems to me most ill-considered.

Mr. KENT. Are not the Subtreasuries now really acting as a kind of cold-storage warehouse for coin, and if so, why can not all that function be transferred to the people who can make use of the coin?

Mr. GLASS. I think that some time it will be done, and should be done. But it should not be done in this haphazard way. I voted to abolish the Subtreasury at Baltimore, within an hour's ride of Washington, because I thought it could safely be done. And I voted to abolish the Subtreasury at Boston because I thought it might safely be done. And I was prepared to ravish my friend from Pennsylvania [Mr. Moore] and vote to abolish the Subtreasury at Philadelphia. But I proposed to draw the line at that point, and I would not have done that without taking for granted, from my limited information, that it might safely be done.

Mr. KENT. Will the gentleman kindly explain what particular damage would be done to the situation if the Subtreasuries were abolished?

Mr. GLASS. As a matter of fact, the Federal reserve banks have not the necessary storage facilities; they have not now the clerical facilities. In this proposal is involved no scheme of transfer; there is nothing as to when or how the thing is to be done. It would amount to a disorganization of that whole bureau of the Government to do this thing now without any preparation, or without any prior notice to the Treasury or the Federal reserve banks that it is to be done.

The CHAIRMAN (Mr. Caisr). The time of the gentleman from Virginia has expired.

Mr. GLASS. I ask for just one minute more.

The CHAIRMAN. The gentleman from Virginia asks that his time be extended one minute. Is there objection?

There was no objection.

Mr. GLASS. Mr. Chairman, I wish to say this in justice to the Secretary of the Treasury. I happen to know that he has had all of his time and attention absorbed recently in an effort to put into effect as speedily as possible the rural credit system provided by Congress at its last session, and I have reason to believe that he did not take the statute quoted here as a mandatory order upon the Secretary of the Treasury to apprise Congress on the first day, or within the first week of its assembling, of what should be done with respect to the Subtreasuries, but that he hoped to furnish the desired information in ample time; and, as a preliminary step, he commissioned one of the Assistant Secretaries of the Treasury to examine into the question and to prepare a report on the subject, which has been done. The Secretary of the Treasury returned to the city only a few days ago and has not yet examined the report. But in due season the report will be presented to Congress.

Mr. GARDNER. Will the gentleman yield for a question?

Mr. GLASS. I yield to the gentleman from Massachusetts.

Mr. GARDNER. Was not the report as a matter of fact prepared some time before the Secretary went to California?

Mr. GLASS. I do not know as to that; but before the Secretary of the Treasury went to California he went to various other parts of the country in prosecution of the work of establishing the new rural credit system. He has taken three trips with the Farm Loan Board, having in view the speedy establishment of this rural credit system; and I happen to know that nearly the whole of his time has been taken up with that laborious matter.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. PLATT. Mr. Chairman, for the past three years I have been making or supporting a motion to strike out the Subtreasuries, and I have not done it entirely in the dark. I went to the legislative reference bureau in the Congressional Library, and had the reference bureau prepare a statement citing every statute passed on the subject of the Subtreasuries from 1846 down. There is a world of information on this subject. Economic writers have written on it, Treasury officials have reported on it, and the best thought of the country has for a long

time been against the Subtreasury system. No other civilized country, so far as I know, has such a system as this. If I am wrong in that statement, Dr. FESS, or some other historian, will correct me. This system, as indicated by the gentleman from California [Mr. KENT], is practically a "cold-storage" system for taking in coin and locking it up. Of course the Subtreasuries do make change for the people. Of course they receive clipped coin for redemption, and things of that kind. Of course they receive Government notes that are worn out and redeem them, and do some work for the Government that is some accommodation to the people; but it can all be done by the banks, and is done by the banks where there is no Subtreasury.

Mr. KENT. I will ask the gentleman if he understands the system under which these cold-storage warehouses take gold coin? Does he understand that they take it by weight? As a matter of fact they take the gold coin by weight, and therefore the bank that takes in this coin at its par value, when it turns it over to these Subtreasuries, has to accept a discount on that coin.

Mr. PLATT. I think that is true.

Mr. KENT. I do not see where the Subtreasuries are performing any functions whatever, except that of ordinary cold storage of something that the people do not want to use.

Mr. PLATT. That is practically what they are doing. They are simply storage warehouses, that take in the money received for customs, internal revenue, and so forth, and lock it up. It should go into the banks and form a basis of credit. If the Subtreasuries were abolished it would go into the banks. Of course, a part of the fund now held in the Subtreasuries is a trust fund that could be taken care of. The Federal reserve banks are authorized to take care of it and the Treasury here in Washington can take care of it. There is no reason why the work they are doing should not be taken up and cared for by the banks if the Subtreasuries were abolished. There might be some additional legislation needed, but there is time enough between now and June 30 to perfect this legislation. If we strike out these appropriations for the Subtreasuries now, the Treasury Department will have to obey our command and make a report and arrange some way of doing the work. Even if no way were arranged, I believe there is law enough to enable the Federal reserve banks to go right on and do what the Subtreasuries are doing and that there would be no hiatus in the matter whatever.

Mr. PHELAN. I should like to ask the gentleman what authority is given anywhere by which the Secretary of the Treasury can deposit the trust funds of the United States in Federal reserve banks? And by trust funds I mean, for example, the gold that is held behind gold certificates. I should like to have him point out that authority to me.

Mr. PLATT. They are to act as fiscal agents of the Government, and the Secretary of the Treasury can require them to care for this fund if he wants to, or he can store the gold coin anywhere, here in Washington or elsewhere.

Mr. PHELAN. The giving authority to somebody to act as fiscal agent does not permit the United States Government to transfer its trust to somebody else.

Mr. GLASS. It does not involve the transfer of a trust. It merely involves the custody of the coin. That is all there is to it.

Mr. PLATT. That is all there is to it.

Mr. GLASS. But I will say further to my colleague that the Federal Reserve Board and the Federal reserve banks have been occupied with tremendous problems since the establishment of the Federal Reserve System, and I do not believe that system is yet prepared to take over the business of the Subtreasuries without any previous notice of the intention of Congress to make the transfer. The Federal Reserve System is occupied right up to the hilt on current problems of a grave nature, and I do not think it would be politic—in fact, I am authorized to say for the Secretary of the Treasury that he thinks it would be very impolitic—to abolish all these Subtreasuries at this time.

Mr. PLATT. What are the Subtreasuries doing that the banks are not doing, except storing the coin? The banks are doing all the other things.

Mr. GLASS. It is not so much what the Subtreasuries are doing. It is what the Federal reserve banks and the Federal Reserve Board are doing. Their whole time is occupied with grave problems, and the board has not the time now to take over the entire clerical establishment of these Subtreasuries and reorganize them at this moment.

Mr. DYER. Mr. Chairman and gentlemen of the committee, one of these Subtreasuries is located in the district which I have the honor to represent in this House. I have been in hopes that the Federal reserve banks would be able to take over the work and business of the Subtreasuries, but I am not willing at this

time, in view of the report of the Committee on Appropriations, and in view of no opinion from the Secretary of the Treasury except as we have received it just now through the gentleman from Virginia [Mr. GLASS], to vote to abolish them at this time.

However, I believe, Mr. Chairman, that the debate upon this provision is going to be of great benefit, in that the Treasury Department will no doubt seek provisions to amend existing law with reference to the Federal reserve banks for the purpose of taking over the work of the Subtreasuries. But at this time, Mr. Chairman, I think we ought not to do it. In fact, it would be exercising poor judgment to vote them out at this time, while we are not able to give the matter the consideration to which it is entitled. Then, it is evident that they would be put back in the Senate, agreed to in conference, and, of course, would finally be a part of the law anyway.

In this situation, therefore, I am of the opinion that we should follow the Appropriation Committee in their recommendations, and I believe you gentlemen of the committee feel the same way. The debate of yesterday nevertheless, as well as the call to the colors by the gentleman from Pennsylvania [Mr. MOORE], has resulted in getting some action from the Secretary of the Treasury, which we have sought but did not get until to-day. In the next Congress perhaps we will feel it our duty to do away with all the Subtreasuries.

Mr. DAVIS of Texas rose.

The CHAIRMAN. Is the gentleman from Texas in favor of the amendment?

Mr. DAVIS of Texas. No; I am opposed to the abolition of the Subtreasury.

The CHAIRMAN. The time on that side is exhausted. The Chair will recognize some gentleman opposed to the amendment.

Mr. GARDNER. Mr. Chairman, I ask unanimous consent that I may correct a statement that I made in debate.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent for one minute to correct a misstatement. Is there objection?

There was no objection.

Mr. GARDNER. Mr. Chairman, in making my remarks a little while ago I said that I had had a conversation with Assistant Secretary Newton. I made a mistake; it was Assistant Secretary Malburn.

Mr. GOOD. Mr. Chairman, there have been so many misstatements of fact made on the floor in regard to the Subtreasury that it is surprising how little some Members know as to the duties of the Subtreasury. For instance, we are told that they are necessary at certain ports to receive the foreign gold that comes in through the customhouses. Now, the foreign gold received as customs receipts does not go to the Subtreasury until it has passed through the assay offices and has been tested. It then may go to the Subtreasury as the storehouse in which to keep it, or it may go to the Treasury or may be kept in the assay office. Other gentlemen say that they will have no vault room. There is nothing proposed here to destroy a single vault, and the authority given in the law creating the Federal reserve banks is ample to take over these storehouses and vaults and use them for governmental purposes wherever necessary.

But, Mr. Chairman, this proposition involves an expenditure of \$500,000 a year. It has been suggested by the gentleman from Virginia [Mr. GLASS] that one or two of them ought to be retained; so when we come to vote on the proposition I shall ask for a division of items, so that we may have a vote on them separately. If any should be retained, which I deny, we can retain them, for there is absolutely no reason why the office at St. Louis, for example, should be continued, except to make a raid on the Treasury to the extent that we appropriate money for that purpose.

Mr. GARDNER. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. GARDNER. How will the gentleman get a separate vote on the Cincinnati item?

Mr. GOOD. The Cincinnati item has been passed. We had a separate vote on that.

Mr. GARDNER. How will the gentleman get it in the House?

Mr. GOOD. We can not get it in the House; I was talking about the committee. Now, the echo of the speeches made by Members on this side of the House not more than six weeks ago has hardly died out in regard to extravagance, in regard to pork, and yet you propose by your vote to-day to vote out of the Treasury about \$500,000 a year to accomplish no good purpose. No one can point to a single reason why we should retain these Subtreasuries, especially those in cities where we have a Federal reserve bank.

The Secretary of the Treasury was asked not to point out which ones should be abolished, but the direction of Congress was that he should report to Congress which ones should be

retained and the reason why they should be retained. He knows that there is no reason why a single one should be retained, especially if it is in a city that has a Federal reserve bank, and that is the reason for his silence. I was surprised at the distinguished gentleman from Virginia making such a weak and lame excuse for the Secretary of the Treasury. This law requiring him to report on this matter was passed on the 10th of May, signed by the President on the 10th of May, and it commanded and directed the Secretary of the Treasury to report to Congress which ones we should retain, which ones we should appropriate for, and to this date he has not reported to Congress. Yet that direction was that he should report at the beginning of this session of Congress. My friends, if it takes the Secretary of the Treasury that long to make a report, how long will it take to abolish these useless offices?

Mr. GLASS. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. GLASS. Mr. Chairman, I have made no lame or impotent excuse in regard to the Secretary of the Treasury.

Mr. GOOD. I beg the gentleman's pardon. If I said the gentleman from Virginia, I was in error. I intended to say the gentleman from Tennessee, and not the gentleman from Virginia. I referred to our honored chairman. It is the gentleman from Tennessee that made the lame and weak excuse in regard to the Secretary of the Treasury.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. GOOD. I will yield.

Mr. BYRNS of Tennessee. I wish to say that the gentleman from Tennessee made no lame and weak excuse. [Laughter.]

Mr. GOOD. Was it a strong excuse?

Mr. BYRNS of Tennessee. What I stated was that the Secretary of the Treasury, as we all know, has for many weeks been engaged on official duties with the Farm Loan Board in the designation of districts.

Mr. GOOD. Oh, yes; but this law was passed on the 10th of May, 1916. Has he been out of his office all the time interviewing and investigating the question of the Farm Loan Board, and if he has, how long is it going to take him to finish his investigation and make a report?

And now I shall ask the gentleman a question, Whether it was not before the committee, at least informally, that Mr. Malburn had reported to the Secretary of the Treasury in favor of abolishing these offices, and the Secretary of the Treasury had not acted upon his report?

Mr. BYRNS of Tennessee. No. As I remember it, it was stated that Mr. Malburn had made a report to the Secretary of the Treasury, and that the Secretary of the Treasury had that report under consideration, but that owing to the fact that he had been necessarily out of the city upon official business in connection with the Farm Loan Board, he had not had an opportunity to act upon it.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to proceed for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. What the report is I do not know.

Mr. GOOD. Mr. Chairman, the question is whether or not we ought to abolish these offices, especially where the Federal Reserve System has already established a bank. I feel somewhat sorry for Baltimore in a way, but Baltimore has not been injured by the action of this House. It was by the action of the board that violated the rules of common decency and made Baltimore go to Richmond to transact its business. Mr. Chairman, when we come to appropriate money here for these offices we are appropriating money for work that is done by another branch of the Government which we have created. It is easy apparently for the Democratic side of the House to create new offices, but when you commence to abolish those that are unnecessary, those useless offices, the salaries of which drain the substance of the people, it seems a very different thing. Here is an opportunity to lop off the useless offices which you promised to abolish.

Mr. SMITH of Minnesota. Mr. Chairman, this discussion will accomplish some good. Anyone who has listened to it must be convinced that these Subtreasuries are useless and unnecessary. They probably in their time served a purpose, but that purpose has ceased. Since the adoption of the Federal Reserve System there has not been any necessity for them. My colleague, the chairman of the Committee on Banking and Currency, has informed the House that these Federal reserve banks and the Federal Reserve Board are overburdened with work. I take issue with that statement. The Federal Reserve Board may be

exceedingly busy in devising ways and means of putting that law into effect in the best manner. That I have no doubt is true. But I do know that the Federal reserve banks throughout the country are doing but very little actual business. They are doing so little that their stockholders are getting no dividends. Those banks have beautiful buildings, magnificent offices, wise-looking and high-salaried officials, and large vaults, but very little funds in them, and very little actual business is being transacted by the Federal reserve banks. Moreover, it is not intended that there should be any business transacted by them that can be done by the member banks. Let us be honest. The main purpose of having the Federal reserve bank and the system is as a guaranty to our banking institutions—to the member banks. That is the purpose of it. We may as well face it now and admit it. The member banks do not want the Federal reserve bank to do any extensive business. It is not intended that these Federal reserve banks should. Therefore, I say, let us give them something to do, and save this \$500,000 that we are paying for our Subtreasuries. We may not be just ready to do it, but it is not a bad plan to make a start. We will call the attention of the public to the fact that this House is in favor of taking some step in the interest of economy, and there never was a step that was any clearer or plainer than the step that we are taking toward abolishing Subtreasuries that are unnecessary and useless.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Minnesota. Yes.

Mr. GREEN of Iowa. The gentleman said that the Federal reserve banks were useful only as a guaranty. Does he not think that it is a pretty expensive thing to go to all of that expense in order to get a guaranty?

Mr. SMITH of Minnesota. No; I do not. Every man who holds a dollar's worth of property has paid out vast sums in insurance to protect himself against loss of that property, and the Federal Reserve System is nothing more or less than an insurance system that guarantees to the banker that when he takes any paper over his counter in order to accommodate the business of the country, he can take that paper to the Federal reserve bank and exchange it for currency with which to pay his depositors. That is a fundamental function of the Federal reserve bank.

Mr. GREEN of Iowa. Does not the gentleman think some system ought to be devised so that these banks can pay expenses?

Mr. GLASS. So that what banks shall pay expenses?

Mr. SMITH of Minnesota. They are not intended to be money-making institutions. Of course, we should run every institution on a paying basis if that be possible, and this will help to put this on a paying basis, and it will take away from the Treasury a burden which it is carrying, an unnecessary burden.

Mr. GLASS. Mr. Chairman, my colleague knows that all of the banks are paying expenses.

Mr. SMITH of Minnesota. Are they paying dividends?

Mr. GLASS. Yes; all but two of them.

Mr. SMITH of Minnesota. Is the Minneapolis bank paying dividends?

Mr. GREEN of Iowa. It is only very recently that they have been paying expenses.

Mr. GLASS. Not very recently. When the statement was made a year ago that they were not paying expenses, they were paying expenses, and the statement was based on utter ignorance of the fact.

Mr. SMITH of Minnesota. I will tell the gentleman how they are paying expenses. The member banks that own the Federal reserve banks see to it that there is just enough paper discounted at the Federal reserve banks to pay expenses, and a little more, so as to make a creditable record.

Mr. Sisson. Mr. Chairman, the time is about up, and in conclusion I want to say, in addition to what has been said for abolishing these Subtreasuries, just this:

I have not heard a reason assigned by anybody as to why any of these Subtreasuries should be retained. I have heard statements made that it is hasty legislation. The Federal Reserve Banking System has now been in operation in the neighborhood of three years. It was intended at that time that the Federal reserve banks should take over the funds of the Federal Government and was so stated and urged and argued as one of the reasons why that system should be adopted. Our system of currency and our system of conducting our finances was assailed on every side from every corner and by every political party, and it was not a political issue. This is no political issue now, and aside from the little advantage that is obtained by the banks in the particular city in which the Subtreasury is located not a single benefit inures to the benefit of the people of the United States by keeping these Subtreasuries. No gentleman has yet said that it would benefit anyone except to serve the convenience

of the locality, and not a single function which is now performed by these Subtreasuries for the banks but can be performed by the Federal reserve banks. There is a duty which is performed now by these Subtreasuries which is not altogether performed by the Federal reserve banks in the deposit of gold coin as a reserve against gold notes. That is a fixed deposit of gold bar against the currency of the United States Government known as gold notes.

Now, the property of all the Subtreasuries belongs to the United States Government, and under the law referred to by the gentleman from Virginia [Mr. GLASS], the chairman of the Committee on Banking and Currency, which passed this great piece of legislation, who declared that the language is broad enough to take over the property, and, as was suggested by the gentleman from California, this physical property could be taken over with the gold bar that is locked up in the Treasury as a fixed guaranty against the gold notes, it need not be disturbed from year to year, but the floating currency that may be needed for redemption can just as easily be done by a department of the Federal Government in the Federal Reserve Banking System; and that was what was urged at the time this bill passed, and everybody inveighed against the old sub-treasury system which we had at the time this law went into effect.

Mr. PHELAN. Mr. Chairman, will the gentleman yield for just one moment?

Mr. Sisson. I will.

Mr. PHELAN. Can the gentleman point out any authority in any law that permits the gold that is held as a reserve against the gold certificates to be kept in any place except in the United States Treasury or a Subtreasury?

Mr. Sisson. No; and I will say that I do not want it kept in any place except in the United States Treasury. I do not ask that it be kept anywhere else, but I want it to be kept right there. But this is part of the Treasury system of the United States—

Mr. PHELAN. What is?

Mr. Sisson. By making these banks depositories; and, in addition to that, these Subtreasury vaults could be used by the Federal Reserve System as vaults are now used, without the enormous expense, and the gentleman from Boston knows it.

Mr. PHELAN. Will the gentleman yield for one moment?

Mr. Sisson. The gentleman from Boston, like all gentlemen from those cities where they have these Subtreasuries, has not sufficient reasons for inveighing against any step in this direction.

Mr. PHELAN. Will the gentleman yield?

Mr. Sisson. I will.

Mr. PHELAN. The gentleman from Boston does not make the statement. I take it, the gentleman refers to me as the gentleman from Boston, but I do not come from Boston—

Mr. Sisson. The gentleman only comes from Massachusetts. I want to relieve him of the odium. [Laughter.]

Mr. PHELAN. If the gentleman will wait one moment, I want the gentleman to point out by what authority he says this money can be kept in the Federal reserve banks. I dispute that statement, and I want him to point it out. He has not yet pointed it out except by assertion.

Mr. Sisson. I am not going to qualify here as an expert on the law which the gentleman himself helped to pass, but Government deposits—

Mr. PHELAN. This is not a Government deposit.

Mr. Sisson. Let me read the law to the gentleman. Will he sit down and be good?

SEC. 15. The moneys held in the general fund of the Treasury, except the 5 per cent fund for the redemption of outstanding national bank notes and the funds provided in this act for the redemption of Federal reserve notes, may, upon the direction of the Secretary of the Treasury, be deposited in Federal reserve banks, which banks, when required by the Secretary of the Treasury, shall act as fiscal agents of the United States; and the revenues of the Government or any part thereof may be deposited in such banks, and disbursements may be made by checks drawn against such deposits.

Mr. PHELAN. Will the gentleman yield again?

Mr. Sisson. I do.

Mr. PHELAN. The point is that the fact that the law specifically provides that these funds shall be held by the Secretary of the Treasury is not necessarily changed when we gave the Secretary of the Treasury power to make somebody his fiscal agent. If he did, it would permit these trust funds to be placed in national banks.

Mr. Sisson. The Secretary of the Treasury now has authority to put this money in these banks; that is all I have been asking for.

The CHAIRMAN. The time of the gentleman has expired.

Mr. Sisson. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to speak for five minutes additional. Is there objection? [After a pause.] The Chair hears none.

Mr. Sisson. Now, they speak of this as being hasty legislation and illy considered legislation. Why, Mr. Chairman, we asked the Secretary of the Treasury to give us a reason why any of these should be retained, and there must be no great and overshadowing reason for not abolishing these Subtreasuries, for at the last session of Congress, after having hearings that extended over several days to have them assign a reason, they gave us as a reason then why we should not abolish these Subtreasuries at that time that it ought not to be hastily and ought not to be illy considered.

And yet all these months have intervened, and no word has come to this committee, no syllable, and no suggestion, and the only intimation that has come to this House was the suggestion made by the chairman of the Committee on Banking and Currency, that he had understood that it ought not to be done inadvisedly. I do not know why the Congress of the United States should not have had that information. And when I hear men make the statement on this floor that we ought to wait until we get the message and the recommendation—the permission, if you please, from these departments—that Congress may legislate, and that we should have the wheels of progress locked until we get recommendations from the departments, the servants of Congress and not their masters, I think it is high time, if Congress takes that position, that we adjourn sine die and let somebody else come who has capacity to legislate for the country. [Applause.] We were elected from our districts to legislate, and it was not the bureau chiefs or the head of any department appointed to office that have the right to say that you must remain silent and dumb until you hear from some mighty department in this case. Such things as that make me sick. [Laughter.]

Mr. O'SHAUNESSY. Will the gentleman yield?

Mr. Sisson. Yes.

Mr. O'SHAUNESSY. I want to ask the gentleman what his answer is to the statement of the gentleman from Virginia as to the capacity—

Mr. Sisson. You need not finish the question. I understand what it is.

Mr. O'SHAUNESSY. You are a mind reader?

Mr. Sisson. Yes; I am. Your mind is so bright that it shines out through your eyes.

Mr. O'SHAUNESSY. What does the gentleman say as to the capacity of the Federal reserve banks who hold this money?

Mr. Sisson. The capacity is the same to the cubic inch now as it will be if you vote to retain these Subtreasuries. It will not shrink one iota. Every reserve bank shall have power to do, what? To deal in gold coin and bullion at home or abroad, to make loans thereon, exchange Federal reserve notes for gold coin or gold certificates, to contract for loans of gold and gold bullion, and so on, and giving therefor the necessary security, including hypothecation of United States bonds and other securities, and so on. Here the Federal reserve bank has the authority that gives them the right to hold the gold which they may have, just so they keep their—

The CHAIRMAN. The time of the gentleman has expired.

Mr. Sisson. Mr. Chairman, how much time remains?

The CHAIRMAN. Ten minutes.

Mr. Sisson. I would like to have two minutes more.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent for two minutes more. Is there objection? There was no objection.

Mr. Sisson. So with all that has been said and done I find there are two classes of people served here, and but two. Those are the people engaged in banking business in the fortunate city that enjoys this special privilege; and although the special privilege is now useless to the balance of the country, they want to continue to enjoy it. In addition to that, there are those men who happen to draw the salaries. The gentleman from California [Mr. RAKER] seems to believe that it would be a crime to take an office away from a man when you have taken all the necessary duties from the office. My friend from California urged this as a reason why we should retain the Subtreasuries. Is it possible that this Congress will take the people's money and pay it out to men who perform no service to the Government? Has that gotten to be the policy of the Members of this House? Surely not. So, when they ask me if this is hasty and ill-timed, I will say, did we not discuss the Federal reserve-bank proposition here for almost a month? Were we not given to understand that immediately the Secretary of the Treasury would take all these over? Were we not given to understand about a year ago that they would be able to tell us what to do a year from then?

Your committee did not act hastily. We waited for them to assign to us some good reason why they should be retained, and to this hour we have heard no good reasons. And if we have no good reasons ought we not in justice to ourselves and our constituencies to abolish these institutions, the public use of which no man has been able to tell? When will it happen? Suppose immediately upon the passage of this act through the House the officials of the Treasury Department would get busy? Here is the very efficient, the magnificent chairman of the Committee on Banking and Currency. Not a single Member on that side of the House would resist the passage of the necessary legislation, and I know that no Democrat would, to put into operation this system—not one. And it could be done in a few hours, because they would simply ask for whatever little additional legislation they might need. But I believe the chairman of the committee stated it fairly when he said he did not believe they needed any additional legislation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Chairman—

The CHAIRMAN. The gentleman from New York is recognized.

Mr. FITZGERALD. Mr. Chairman, I do not believe it wise to strike this provision out of this bill.

The CHAIRMAN. If the gentleman from New York will suspend a minute, the Chair would like to state that all time against the motion to strike out has been used. There are eight minutes remaining.

Mr. FITZGERALD. Mr. Chairman, I am of the opinion that some of the Subtreasuries can be abolished. I do not know which ones. The Treasury Department should furnish the information that Congress needs.

There are some things that can not be transferred to the Federal reserve banks. We have in the United States about \$1,800,000,000 in gold. Against much of that gold is issued gold certificates, and that gold must be held in the Treasury of the United States. It can not be put in the Federal reserve banks.

We imported last year \$494,000,000 in gold, and exported \$90,000,000 in gold. The great bulk of it was through the port of New York. There is in the Subtreasury in the city of New York more than \$113,000,000 gold coin and \$500,000,000 in other form. If it is not kept there, it must be kept in Washington or in a Subtreasury at some other place. However, it must be kept in New York. The settlement of international balances of trade, international exchange, must be made in gold at the port of New York. If it is not kept there, it will have to be shipped back and forth, with the cost of doing so. That situation is not the same at all of the Subtreasuries. It may be true in some of the seaport cities. It may be true as to Philadelphia. I am not able to say.

It is possible that it may be necessary to maintain a Subtreasury at Chicago and one at San Francisco, not because the ordinary fiscal operations of the Government can not be performed by the Federal Reserve System, but because it may be absolutely essential for the transaction of the commerce of the country that a certain volume of gold should be held on the Pacific coast and in the interior of the country. It is not necessary to maintain one at Baltimore, because of its proximity to Washington. It is only a difference of 40 miles, and if it were not for the fact that the business interests of Baltimore believe—whether justifiably or not—that a great injustice has been done them, their protest should not be heeded for a minute. Yet it is not highly desirable to make a great element of the business world believe that it has been unjustly treated.

But whatever is done about some of the Subtreasuries, I repeat in my opinion some of them can be abolished. I say this, not because I come from the State of New York and the commercial transactions of the country make it imperative that there must be gold in New York—

Mr. REILLY. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. In just a moment.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MANN. I ask unanimous consent, Mr. Chairman, that the gentleman from New York may have the balance of the time. He is entertaining, if not instructive. [Laughter.]

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the remainder of the allotted time, two minutes, be occupied by the gentleman from New York [Mr. FITZGERALD]. Is there objection?

There was no objection.

Mr. FITZGERALD. About ninety millions have been carried at San Francisco, and I forget how much in Chicago.

Although, in my opinion, some of these Subtreasuries can and should be abolished, and ought to be abolished as a matter of good administration; yet I do not believe that the House of

Representatives, without the information that is imperative in order to act intelligently, should proceed to abolish them. I hope that the result of this discussion will be to produce from the Treasury Department what ought to be furnished—a comprehensive report upon the entire subject.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes; I yield.

Mr. GOOD. The gentleman states that some of them ought to be abolished. What ones ought to be abolished, in the opinion of the gentleman?

Mr. FITZGERALD. I said "in my opinion."

Mr. GOOD. Yes.

Mr. FITZGERALD. In my opinion—and I do not know that I am justified in attempting to determine—I said that I had no doubt that there must be retained one on the Atlantic seaboard, one on the Pacific seaboard, and one in the interior of the country, and I assume that that would be Chicago, because it is the biggest industrial center. I know that it must be retained in New York.

Mr. GOOD. The gentleman would not say that the one at Philadelphia should be retained, where we have a Federal reserve bank?

Mr. FITZGERALD. I do not know. I do not know sufficiently about the settlement in international exchange at Philadelphia, although I assume that most of it is done in New York. Only a few years ago fifty millions of gold were shipped from Philadelphia to New York. Trade settlements can not be made in gold certificates or in any form of currency. They must be made in the basic metal, the money of the world. They must be made in gold. We ship gold from the port of New York just as we ship wheat, and it must be done not in the interest of New York but in order to enable the commerce of the United States to be transacted with foreign nations.

I hope we shall not do what undoubtedly would not be a wise thing at this time and in this way. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired. All time is expired. Without objection, the Clerk will read the amendment.

The Clerk read as follows:

Amendment offered by Mr. Sisson: Page 60, strike out all paragraphs beginning with line 3 on page 60 down to and including line 26 on page 61.

Mr. GOOD. Mr. Chairman, I ask for a division of the amendment.

The CHAIRMAN. The gentleman from Iowa asks for a division. The Clerk will report the first substantive proposition in the amendment.

The Clerk read as follows:

Page 60, beginning with line 3, strike out the paragraph from line 3 to line 9, inclusive.

The CHAIRMAN. The question is on agreeing to that part of the amendment that has just been read.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. Sisson. Mr. Chairman, a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 46, noes 94.

So that portion of the amendment was rejected.

The CHAIRMAN. The Clerk will report the next substantive proposition in the amendment.

The Clerk read as follows:

Page 60, strike out from line 10 down to and including line 3 of page 61.

The CHAIRMAN. The question is on agreeing to that part of the amendment that has just been read.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. Sisson. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 31, noes 110.

So that portion of the amendment was rejected.

The CHAIRMAN. The Clerk will report the next one.

The Clerk read as follows:

Page 61, strike out the paragraph beginning on line 4 and ending on line 13.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. Sisson. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 48, noes 95.

So that portion of the amendment was rejected.

The CHAIRMAN. The Clerk will report the next.

The Clerk read as follows:

Page 61, strike out the paragraph beginning on line 14 and ending on line 20.

The CHAIRMAN (Mr. HARRISON of Mississippi). The question is on agreeing to the amendment.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. BORLAND. A division!

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 42, noes 92.

So that portion of the amendment was rejected.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 61, strike out the paragraph beginning on line 21, and ending on line 26.

The question was taken; and on a division (demanded by Mr. Sisson) there were—ayes 30, noes 84.

Accordingly the amendment was rejected.

Mr. Sisson. Mr. Chairman, I ask unanimous consent that the Subtreasuries which were stricken out, which were, I believe, Boston and Chicago, be restored to the bill.

Mr. MANN. I object.

Mr. Sisson. I ask unanimous consent for one minute to make a statement.

The CHAIRMAN. The gentleman asks unanimous consent for one minute. Is there objection?

There was no objection.

Mr. Sisson. I stated at the outset that I thought all these Subtreasuries ought to be dealt with just alike, and, having made that statement on the floor, I make the request now in good faith, that these Subtreasuries which were stricken out be restored to the bill, and I hope that the request will be granted.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the paragraph stricken out be reinstated. Is there objection?

Mr. MANN. I object. The House will have full control over the matter.

The CHAIRMAN. Objection is made, and the request is refused. The Clerk will read.

The Clerk read as follows:

Philadelphia Mint: Superintendent, \$4,500; engraver, \$4,000; assayer, \$3,000; superintendent melting and refining department, \$3,000; superintendent coining department, \$2,500; chief clerk, \$2,500; assistant assayer, \$2,200; cashier, \$2,500; bookkeeper, \$2,500; assistant bookkeeper, \$2,000; deposit weigh clerk, \$2,000; assistant cashier, \$1,800; curator, \$1,800; clerks—1 \$2,000, 1 \$1,700, 8 at \$1,600 each, 1 \$1,500, 6 at \$1,400 each, 1 \$1,300, 3 at \$1,200 each, 3 at \$1,000 each; in all, \$68,600.

For wages of workmen and other employees, \$315,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman from Tennessee [Mr. BYRNS] advise me whether the department estimated for an increase in the pay of the superintendent of the coining department, which is now \$2,500?

Mr. BYRNS of Tennessee. Yes; they ask for an increase of \$250.

Mr. MOORE of Pennsylvania. I would like to say that my information is that the superintendent of the coining department, who has responsibilities equal with those of the superintendents of the melting and refining departments, who receive \$3,000 each, is underpaid at \$2,500, in view of the enormous increase of business that has come to the Philadelphia Mint recently to meet the demand for small coin throughout the country. If this matter appeals to the committee at all, and if they will accept an amendment for an increase of \$250 as requested by the department, I will offer that amendment.

Mr. BYRNS of Tennessee. I will state to the gentleman from Pennsylvania that the superintendents of coining in the Denver Mint and the San Francisco Mint receive only \$2,500, and the committee felt that it was not a proper thing to discriminate as to positions involving the same kind of services and the same amount of responsibility.

Mr. MOORE of Pennsylvania. Have all these superintendents of coining been required to keep at work until midnight, as the one in Philadelphia has been and is?

Mr. BYRNS of Tennessee. The Director of the Mint states, if my recollection serves me, that there has been more overtime possibly at Denver than in any other mint. They certainly have been working overtime, with two or three shifts.

Mr. MOORE of Pennsylvania. Evidently the committee have had the matter under consideration and would make a point of order if I should offer the amendment?

Mr. BYRNS of Tennessee. Undoubtedly.

Mr. MOORE of Pennsylvania. Then it would be useless to offer the amendment at the present time.

Mr. BYRNS of Tennessee. Yes.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Boise, Idaho, assay office: Assayer in charge, who shall also perform the duties of melter, \$1,800; assistant assayer, \$1,200; chief clerk, who shall also perform the duties of cashier, \$1,200; in all, \$4,200.

For wages of workmen and other employees, \$2,000.

For incidental and contingent expenses, \$1,200.

Mr. GANDY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GANDY: Page 64, after line 16, insert:

"Deadwood, S. Dak., assay office: Assayer in charge, who shall also perform the duties of melter, \$1,800; assistant assayer, \$1,200; clerk, \$1,000; in all, \$4,000.

"For wages of workmen and other employees, \$2,000.

"For incidental and contingent expenses, \$1,500."

Mr. GANDY. Mr. Chairman, in support of the amendment which I have just offered, I want to say to the Members of the House that the Deadwood assay office is an old-established one.

Mr. BYRNS of Tennessee. Will the gentleman yield for an interruption?

Mr. GANDY. Yes.

Mr. BYRNS of Tennessee. I will state to the gentleman that in his amendment he has asked for a greater amount for contingent expenses than was actually estimated for the coming fiscal year. The estimate calls for \$1,000, and his amendment would carry \$1,500.

Mr. GANDY. I will state to the gentleman that I drew that in accordance with the law of last year. I have no objection to changing it, and I ask unanimous consent to change the allowance for contingent expenses in the amendment from \$1,500 to \$1,000.

The CHAIRMAN. The gentleman asks unanimous consent to modify his amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

For incidental and contingent expenses, \$1,000.

Mr. GANDY. Mr. Chairman, this is an old-established assay office, right in the heart of one of the real gold-mining communities in this Nation. For a number of years this office stood first in the class of assay offices that were referred to as the smaller ones. There are four very large ones and seven that have been in a sort of smaller class. Up to 1913 or 1914 this office stood first of these seven. Then, because the appropriation in the bill of 1914 was reduced, a lot of the business from the larger companies out there was forced to be sent to other assay offices, and since that time has not been handled in the Deadwood office. In speaking of that proposition in his annual report for 1914 the Director of the Mint said:

The differences between the House of Representatives and the Senate over the policy of maintaining the western assay offices resulted last year in a compromise upon appropriations that was satisfactory to neither body and inconsistent with good administration.

But, even with the reduced appropriation, the office still is handling a wonderful business. We have just passed in this bill the office at Carson, and the Deadwood office does twice the business that is done by the office at Carson. We have passed the office at Boise, and the office at Deadwood does practically the same business as that at Boise.

Then, referring to another matter, there are the individual assays, where the little prospector brings in his piece of rock to have it assayed, to find out whether or not he has struck a "find," as they call it. These assays are known as dollar assays. In 1912 this office made 275 such assays; in 1913, 547; in 1914, 687; in 1915, 608. For that year the figures are available for the rest of the offices, and all of the other six offices in this class made 330 assays of individual ore for prospectors. So that this office at Deadwood made almost twice the number of the other six in its class combined. In 1916, in the year ending July 1, this office made 778 such assays, whereas the other six offices in this class made 898, or, in other words, the Deadwood office made practically as many individual assays as all the rest combined.

In this spot of country, relatively speaking, no larger than your hand as compared to the great Nation we have, since gold was discovered 40 years ago this year there has been taken out in gold alone the magnificent total of \$192,693,945; and then to that should be added the silver, the tungsten, and other metals that are mined with the gold. To abolish this assay office would be a serious blow to this mining community, to the smaller companies that take their clean-up and their bricks over to the assay office close at hand, get their money on it to meet the pay roll. The larger concerns are not involved; they are to-day

sending their business to the larger assay offices, because this office has not for years had an appropriation sufficient to handle the business. I trust that the membership of this House will not cripple this mining community by taking away the facilities for having their assays made close at home quickly and by governmental officials in whom they have absolute confidence.

Let me say in conclusion that this office for five years has cost, net, \$17,922.04; or, in other words, for the five years past this office has cost the Government \$3,584.41 a year, where we have been turning out almost eight millions of gold a year in that community. I ask the membership of the House to continue this office as it has been continued for years, an instrument of good in the mining community, an institution that means much to us in the mining canyons of the Black Hills. [Applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, this is another instance of how difficult it is to abolish an office, even though there may be no real and sufficient reason for its continuance. I am not going into any discussion as to the general necessity of assay offices, except to make this declaration, that there is no member of this committee who can show to this House any real reason why any of these assay offices should be maintained except in the interest of a few who may come to deposit their ore and have it assayed so that they may quickly secure gold for it.

Now, the question is whether or not you will continue these offices and appropriations necessary to maintain them in the interest of the few who come to the assay office to have their ore assayed at the expense of the great body of the people, or will you require them to send their bullion to the mint, where it can be properly assayed, at their own expense.

We asked the Director of the Mint, Mr. von Engelken, when he was before the committee recently, why it was necessary to maintain these assay offices, and the only explanation that was given to the committee was that it was a convenience for a few who can deposit their bullion there. We asked why it was that the same men could not send their bullion to the mint at Denver and the mint at San Francisco and have it assayed there. The answer was that it would mean two or three or four days' delay in getting their money. He said it would take two days to send the bullion to Denver from the assay office, and a day to have it assayed, and two days for the check to get back to the miner. That was the only real reason advanced as to why any of the assay offices should be maintained.

You gentlemen will remember a session or two ago that the House by an overwhelming vote voted to discontinue all the assay offices except one at New York and the one at Seattle, but that they were subsequently put back in the Senate. When the new Director of the Mint, Mr. von Engelken, was before the committee I made this statement to him:

I do not know whether you are familiar with the discussion that has been going on year after year for the past four or five years in regard to these assay offices and some of the mints, for instance, this mint at Carson City, but there has been a disposition on the part of a great many Members of Congress—in fact, on at least one occasion—and I am not sure but on two occasions—the House voted to abolish all of these assay offices except the ones at Seattle, New York, and Helena, Mont. The House, by a pretty good majority, voted to abolish them. They were restored in the Senate and finally carried in the bill. That was done on the idea that a great number of these assay offices and a mint like this one at Carson City really performs no adequate service to either the Government or the people that could not be performed by the other assay offices and our mint at Denver—

And so forth.

And this was Mr. von Engelken's reply:

That is very true; if I were in the House I would vote the same way on that same proposition.

Now, I am going to ask gentlemen of the committee, in view of the statement of the Director of the Mint, are you going to vote an extra appropriation of \$7,500 on the people that you represent and the people that I represent? The Director of the Mint has told you that if he was a Member of the House he would vote to cut out these assay offices.

Mr. GANDY. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. GANDY. Would it not take expense to make the assay anywhere else—an extra expense?

Mr. BYRNS of Tennessee. No; no extra expense.

Mr. GANDY. The office at Deadwood is loaded up; it is at a point where they have to refuse bullion because they are doing all that they have the money to handle. Now, another proposition. It does not cost \$7,500 because the receipts taken in reduce that cost.

Mr. BYRNS of Tennessee. Oh, let us see about the receipts of the Deadwood office. The gentleman says they received bullion amounting to over \$661,000 last year. He says that they do more business than is done at the assay office at Carson. That is true in point of value of the bullion that is deposited,

but let us see how many more people are accommodated at Carson than at Deadwood. Last year there were only 97 deposits made at the Deadwood assay office, and valued at the amount stated. What was the income received? The income was \$2,033.63. What was the expense to the Government? The expense was \$6,789.45—more than three times the amount of the income received from the office—with only 97 deposits. That is a reduction in the amount of business from the preceding year because during the preceding year 107 deposits were made. There is a falling off in the business.

At Carson last year there were 612 deposits. It is true those 612 deposits were only valued at \$324,000, but that shows that the small miner was being benefited at Carson, and that these deposits of 97 amounting to over \$661,000 were probably deposits from great mining companies, which would otherwise be compelled to send their bullion to our mints at their own expense and in order to secure gold in exchange. That is the case as to Deadwood. That is the reason the committee comes in here with the proposition to abolish it, and I want to appeal to you gentlemen of the committee, in the interest of economy, in the interest of saving some of the expenses of this Government, that where you find an office such as this that is absolutely unnecessary, where the Director of the Mint tells you in plain language that if he was acting under your oath and obligation he would vote to abolish it, that there can be absolutely no excuse for us to fail to register our vote in favor of abolishing this office at Deadwood.

Mr. GANDY. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. GANDY. The Director of the Mint informed the gentleman who just spoke, in response to his question, that the big concern there did not use this office; that their bullion goes to New York City.

Mr. BYRNS of Tennessee. He stated that the Homestake Co., which I think is your largest company—and I asked him specifically with reference to that company—sent its bullion to New York City, and that is but another indication that this assay office is not necessary. I did not ask him about any other company. I do not know that you have any other company there; but I do say this, that the fact that you had only 97 deposits at Deadwood, and that they were valued at \$661,000, compared with the fact that there were 612 deposits at Carson, valued at \$324,000, would seem to indicate that the small miner is patronizing Carson to a greater extent than Deadwood. I do not say that in defense of the assay office at Carson, because, in my judgment, all of these assay offices, except one at Seattle and one at New York, could be abolished without doing a public injustice to anyone; but if any are to be maintained, then by all means keep those which afford some aid and convenience to the little fellow rather than the big gold-mining companies.

Mr. DILLON. Mr. Chairman, I want to speak a few words in support of this amendment. It has frequently been said that the Black Hills country, comprising an area of about 100 square miles, is the richest land in the world. The gold that comes from these mines constitutes one-eighth of all the gold produced in the world since the discovery of America by Columbus. These mines are now at this time producing one-twelfth of all of the gold and silver produced in the United States, Alaska, and the Philippine Islands. These mines produce more than double the value of the gold and silver that is produced in the State of Montana. They produce nearly as much gold and silver as is produced in the States of Wyoming, Utah, Oregon, Washington, Idaho, and the Philippine Islands combined. It is true, Mr. Chairman, that this assay office has been largely crippled by taking away the funds necessary to operate it. The greatest mine in the world is located at Lead, in the State of South Dakota. That mine is not patronizing this assay office because it is not thoroughly equipped to do the work, because you have reduced the expenditures year by year, until now you in the last appropriation bill gave us only about \$7,500 for this assay office, and when you take into consideration the receipts it is being operated at a loss of only about \$3,000 a year. For more than 20 years this institution has been fostered and maintained by the Government. It has performed a wonderful mission to the people of that community. We have within the Black Hills enough gold to pave the streets of every village, town, and city in South Dakota, and why should the Congress of the United States at this time throw it out root and branch? It seems to me that if we take this position we are discriminating against one of the greatest States of the Union, so far as silver and gold production is concerned. Our State stands fourth in gold and silver production in the catalogue of States, and why should we be discriminated against and be refused the small appropriation that is necessary to sustain this institution? This assay office is in the interest of the small prospector,

the small mining man in that region of the country. It seems to me it would be a discrimination to do it. If you want to abolish one, then why not abolish all of them? Why do you come here and seek to discriminate against this institution that is in a State that stands fourth among the States that produce silver and gold? I trust this amendment in the interest of fair and honest dealing will have the support of this committee. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota.

The question was taken; and on a division (demanded by Mr. BYRNS of Tennessee) there were—ayes 64, noes 11.

So the amendment was agreed to.

The Clerk read as follows:

For incidental and contingent expenses, including new machinery and repairs, wastage in the melting and refining department, and loss on sale of sweeps arising from the treatment of bullion, \$76,000.

Mr. MAYS. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. MAYS: Page 65, line 10, insert as a new paragraph the following:

"Salt Lake City, Utah, assay office: Assayer in charge, who shall also perform the duties of melter, chief clerk, and cashier, \$1,800; for wages of workmen and other employees, \$1,500; for incidental and contingent expenses, \$500. In all, \$3,800."

Mr. MAYS. Mr. Chairman, this amendment seeks to put the same provision in the bill that exists in the law at the present time, namely, an appropriation of \$3,800 for the assay office at Salt Lake City. The gentlemen of the Appropriations Committee have not given a chance to anyone who may be opposed to the abolition of this office to appear. In reading the hearings I have noticed that they asked only the Director of the Mint to give testimony in regard to the assay offices, and it is well known that the Director of the Mint is in favor of abolishing all of the assay offices except some central place like New York.

Why discriminate? Why not abolish them all except the one in New York, as the Director of the Mint suggests? Why leave in the law the offices at Carson City, at Boise, at Helena, and at other points and abolish only Deadwood and Salt Lake City offices? Rather should these offices be given sufficient help, and the business would soon vastly increase. The assayer at Salt Lake must act also as melter, as cashier, as chief clerk. He has only one man to help him, and necessarily the work of the office is limited. Many who would otherwise do so fail to patronize the office on this account.

The Chief of the Geological Survey is opposed to the abolition of this office or any other of these assay offices. He said that it is of service to the Geological Survey to have these offices in the localities in which they are now situated. Salt Lake City is the real mining center of the United States. Within a radius of 700 miles of Salt Lake City there is more gold and silver, copper, lead, zinc, and other valuable metals produced than within a similar radius in the world; and it seems to me it would be small business to abolish an assay office serving the people of a great mining center like that. Last year Utah stood first, next to Arizona, among all the mining States of the Union in the value of its metal output, producing over \$55,000,000. Colorado produced \$33,000,000 worth of ores; Idaho over \$30,000,000 worth of ores; Nevada produced something over \$30,000,000 worth of ores; Montana produced \$47,000,000 worth of these ores. This year, from reports, I judge that Utah will excel all other States in such production. This is real wealth, and they are paying an income tax upon the mining corporations of Utah of over \$400,000 a year. And yet these gentlemen, particularly the gentleman from Mississippi, say we are taxing their constituents to pay \$3,800 for maintaining an assay office for the convenience of this great mining region of the country.

Mr. Sisson. Mr. Chairman, will the gentleman yield? I think the gentleman ought to know before he makes a statement of that kind—

Mr. MAYS. Perhaps the gentleman had better ask me whether I will yield before he instructs me.

Mr. Sisson. I did address the Chair and asked the gentleman whether he would yield.

Mr. MAYS. I will yield.

Mr. Sisson. I say the gentleman ought to know what he is talking about, because he certainly does not seem to know his friends in reference to this particular item. I think the gentleman ought to go a little further before he makes a statement of that kind.

Mr. MAYS. That statement was made; of course, if it was not meant, I am glad to apologize for giving the inference. With regard to the Director of the Mint's testimony, which the chairman of the subcommittee quoted here so freely, I want to quote

one thing from his testimony before this committee myself. The question was asked him why he would recommend the continuance of the office at Helena, for instance, or Carson City, or Boise City, and would ask that the office at Salt Lake City should be abolished, and this was his answer. He said, "There is a demand for the service at Helena, but you see Salt Lake City is within gunshot of Denver." That shows how much geography the Director of the Mint may know. He may be competent to be Director of the Mint, but he certainly does not know much geography. Gentlemen of the committee, Salt Lake City is 742 miles from Denver, and it takes 20 and some odd hours to go from Denver to Salt Lake City, practically as far as from Chicago to New York, and yet he says it is within gunshot of Denver, Colo. I believe it would be pursuing a penny-wise and pound-foolish policy to destroy this office. The prospectors especially out there want this office to remain there. Five hundred and fourteen dollar assays have been made this year, according to the report of the assayer, for prospectors who bring in their rock to be examined. The prospector is benefactor of his race, a creator of wealth, but generally contributes to the wealth of others and dies poor himself. He should not be forgotten. It would cost them to go to a private assayer from \$3 to \$4 for each assay, and they do not have the same confidence in the tests as they have in the Government assay office. When these great mining States are paying into the Treasury of this country many millions and pouring into the lap of the United States many hundreds of millions of dollars of real wealth it would be, it seems to me—

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAYS. I would ask for one minute more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MAYS (continuing). It would be a poor policy to refuse to continue the assay office in Salt Lake City, the real center of the mining industry of this country. [Applause.]

I insert statement of Assayer Gammon and letter from the Director of the Geological Survey.

SALT LAKE, UTAH, December 9, 1916.

JAMES H. MAYS, M. C.,

Washington, D. C.:

Office should be continued. Bullion deposits increasing. Ore assays will double coming year. Small expense, geographical center. In Federal building, saving expense. Earnings \$526 on bullion; ore assays, \$514; old material, \$96. Two hundred prospectors served in all western mining States. Seventy bullion depositors accommodated. Assays made for Land Office, also Forestry Service at Ogden. Large shipper in eastern Nevada sending \$10,000 bars to this office. Facts in detail by mail.

GAMMON, Assayer.

STATEMENT OF ASSAYER IN CHARGE.

The assay offices were created primarily to purchase gold and silver bullion and serve the immediate vicinity without the delay incident to shipping to a distant mint and waiting two weeks for a check on the United States Treasurer.

Salt Lake at one time melted, assayed, and purchased bullion amounting to \$100,000 a month, when eight men were employed with an appropriation of \$18,000 annually.

Now this office is down to two men (Mr. J. L. May and myself), with an appropriation of only \$3,800 and earnings of about \$1,000, leaving a net cost to the Government of only \$2,800. This is very little to give to the mining public served by this office. Though we only purchased about \$50,000 last year, the receipts are increasing.

The Director of the Mint has also requested that the office make ore assays for the prospector, such as lead, copper, zinc, iron, gold, silver, tin, and tungsten. This has met with the hearty approval of the prospector, and I receive ore assays from Arizona, New Mexico, Alaska, California, Nevada, Idaho, Montana, and Colorado. For this we make a charge of \$1 a metal.

The argument might be raised that the Government is competing with the private assayer, but from talks that I have had with the members of eight assay firms here their business does not depend on work from the prospector, from whom they have so much trouble to collect. Their money is made from mine examination, samples, control samples (representing shipments to smelters), and smelter analyses. At any rate, this is not the only instance the Government has competed, as parcel post is in competition with the express companies, etc.

Also a point might be raised that when the offices were created that they were to be limited to melting, assaying, and purchasing gold bullion. Placer dust and grains and nuggets are merely high-grade ores, and it has always been the intention to handle such accumulations of the prospector.

If the geographical location of Salt Lake could be considered as a railroad center and equidistant from the mints of Denver and San Francisco, the proper and sane thing to do for economy's sake would be to abolish all the other minor assay offices and make Salt Lake the central and geographical assay office.

All the other assay offices have their own buildings to keep up, and are expensive in the way of heating, lighting, and the expense of employing watchmen, etc.

Of course, other States wish to keep their offices, and probably such facts could not be used against them.

This office has no watchman, and the contingent fund of \$500 is ample for supplies, chemicals, etc., being favorably situated in the post-office building.

Even if this office was purchasing bullion to the value of \$40,000 a month, or at the rate of \$500,000 a year, which would seem a good showing to the Appropriation Committee, yet the earnings the office

would be credited with—about \$700—would be little greater than earnings from ore assays this calendar year (\$514), which I expect to double the coming year. Ore assays to the prospector are what the Agricultural Department is to the farmers.

The Director of the Mint has directed the minor assay office to ship bullion by parcel post, which has meant a saving of 75 per cent over the old method of shipping by express.

The Winnemucca gold mines, of eastern Nevada, and C. J. Smith, of Blair, Idaho, have decided to send all their bullion to this office, as it is a more convenient railroad center. This amounts to \$10,000 a month at least, if not more.

The CONGRESSIONAL RECORD of a year ago had a statement that I myself did not perform any work, which is untrue, as I not only do all the bullion and ore assaying but keep and check certain records and do all the typewriting since they eliminated my clerk.

CHAS. GAMMON, Assayer.

DEPARTMENT OF THE INTERIOR,
UNITED STATES GEOLOGICAL SURVEY,
Washington, December 13, 1916.

HON. JAMES H. MAYS,
House of Representatives.

MY DEAR MR. MAYS: In reply to your letter of December 12:

The interest of the Geological Survey in the various Government mints and assay offices is mainly in the records kept of gold and silver deposits from mining operations in the respective territories served by them and in other information received relative to those operations. In the work of official compilation of gold and silver statistics the Bureau of the Mint and the Geological Survey cooperate, both in Washington and in the western mining States. Detailed data from these various Government assay offices have in the past been of assistance to the survey in this respect. It is understood that from the standpoint of the Bureau of the Mint some of these offices have in the past been run at a loss; that is, their working profits were exceeded by their expenses. This is true of many Government institutions, of course, for many are not expected to show cash profits at all. It seems to remain a question whether the continuance of the western assay offices at relatively small expense, perhaps, is not justified from the standpoint of Government interest and encouragement of the local mining industries served. Those offices are purchasers of bullion and make assays for the mining public, I understand, and there is a prevailing tendency to consider a Government assay as final beyond dispute. In these times of greatest activity among the mining districts and of increased output, therefore, the continuance of the offices may possibly be justified on the score of their local convenience as purchasers of bullion and because of their facilities for making assays.

In conclusion, the survey is not in a position to advise definitely the continuance or abandonment of the two assay offices mentioned, but must confine itself to the fact that in the statistical part of its work it has found the records of these offices of some assistance.

Yours, very truly,

GEORGE OTIS SMITH,
Director.

Mr. BYRNS of Tennessee rose. [Cries of "Vote!" "Vote!"]

Mr. BYRNS of Tennessee. Mr. Chairman, I hope, notwithstanding their evident eagerness to vote money out of the Treasury, gentlemen will at least accord to me the right to make a statement. There may be some gentlemen upon the floor who hold that it is not a serious matter to vote money for offices which the Director of the Mint says are unnecessary. But I insist that the RECORD shall at least show exactly what the Director of the Mint said, and let those gentlemen know that when they vote to retain this proposition they are acting not only contrary to his statement in the hearing, but contrary to the report which he made to the Secretary of the Treasury.

Mr. MAYS. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield.

Mr. MAYS. Did the gentleman call any mining men who are interested in this section out there for a hearing?

Mr. BYRNS of Tennessee. We did not.

Mr. MAYS. Did the gentleman call the Chief of the Geological Survey?

Mr. BYRNS of Tennessee. We did not. The Chief of the Geological Survey, Mr. Chairman, has absolutely nothing to do with this office and no control over it, because it is under the Treasury Department. It has absolutely nothing to do with the Department of the Interior or the Geological Survey.

Mr. HOWELL. Will the gentleman yield?

Mr. BYRNS of Tennessee. Let me make this statement and then I will yield.

Mr. HOWELL. I just want to ask a single question, and that is, If the committee itself did absolutely ignore the suggestion of the Director of the Mint in providing for any assay offices?

Mr. BYRNS of Tennessee. No; the committee has not ignored the suggestion of the Director of the Mint.

Mr. HOWELL. And they are voting money out of the Treasury directly contrary to the advice of the Director of the Mint?

Mr. BYRNS of Tennessee. I do not understand the gentleman.

Mr. HOWELL. Is not the committee itself directly ignoring the opinion of the Director of the Mint as to these assay offices?

Mr. BYRNS of Tennessee. On the contrary, we are not; we are acting now in exact accord with his written report made to Congress.

Mr. HOWELL. Did not he say to the committee, as far as he was concerned, the assay offices perform no useful function and ought all to be abolished?

Mr. BYRNS of Tennessee. He said that if he rested under the oath and obligation under which the gentleman from Utah and myself rest as Members of this House, he would vote to abolish them; and yet the gentleman from Utah a moment ago voted to retain the assay office at Deadwood.

Mr. HOWELL. But the chairman of the committee has already laid great stress upon the advice of the Director of the Mint, and I was trying to show that the committee did not place so much reliance upon the recommendation of the director in some of these cases, but, instead, it sought to make invidious discrimination, striking out one or two offices and providing for all the rest.

Mr. BYRNS of Tennessee. The Committee on Appropriations has brought in a report here on one or two occasions, and a majority of the House voted with that committee to abolish those offices, and the gentleman from Utah stood upon the floor and vigorously, if I remember correctly, opposed the action of the committee in undertaking to abolish them.

Now, Mr. Chairman, in all good humor but in perfect seriousness, I want to say that the Committee on Appropriations did not act without consideration in this matter. The gentleman from Utah [Mr. MAYS] said that we did not send to Utah and have some miners come down here and testify before us as to whether this assay office was necessary. I submit, Mr. Chairman, that if there is any person in the world who ought to know and ought to be informed as to the advisability of this assay office it is the Director of the Mint, the man charged with the duty of administering the assay office, and the man who rests under the duty to inform the Congress and the country as to its operation.

I am going to appeal to the Democrats on this side of the House and ask them if they are going to vote for this, notwithstanding the fact that the Director of the Mint said that we ought to abolish the office? It is no more to me than to you, gentlemen. In standing here I am representing what I believe to be right and in the interest of economy.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Now, what does the Director of the Mint say? He says:

A third recommendation is that the assay office at Salt Lake City, Utah, be discontinued. The deposits of bullion there are so few and small and the size of the office force so inadequate for business of serious proportions should it be offered, that I can see no need of maintaining it.

Mr. MAYS. Will the gentleman yield?

Mr. BYRNS of Tennessee. Not now, but I will yield in a few minutes.

Now, more than that, Mr. Chairman, let us see what the business is at that office. There were 147 deposits for the year ending June 30, 1916. Now, what was their value? The gentleman from South Dakota [Mr. GANDY] spoke a few moments ago in regard to the Deadwood assay office, and commented upon the fact that the deposits at Deadwood were \$661,000, and gave you that as the reason why the office should be discontinued.

At Salt Lake the value of the deposits last year was \$48,722.28, the coining value of the deposits of bullion that were carried there. Now, what was the income? Listen to this: The income derived from the Salt Lake assay office was \$908.69. And what was the outgo? The outgo was \$3,844.59.

Gentlemen, there is the record. And I say it is of no more importance to me than it is to any one of you. You rest under the same obligations that I do, and if you care to vote it in it is all right with me. But I have done my duty in presenting the facts to you. I simply wanted you to know that when you vote to retain this office, as a majority of you seem determined to do, that you are doing so in defiance of the report and recommendation of the Director of the Mint, the regular and sworn officer whose duty it is to look after these assay offices.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah [Mr. MAYS].

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. BYRNS of Tennessee. Division, Mr. Chairman.

The committee divided; and there were—ayes 32, noes 24.

So the amendment was agreed to.

Mr. MAYS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Utah asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. GANDY. Mr. Chairman, I make a similar request.

The CHAIRMAN. The gentleman from South Dakota makes a similar request. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman, I wish to ask unanimous consent to extend in the Record my remarks on the Subtreasury this morning.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend in the Record the remarks which he made on the Subtreasury this morning. Is there objection?

There was no objection.

Mr. BENNET. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from New York makes a similar request. Is there objection?

There was no objection.

Mr. FESS. Mr. Chairman, I desire to make the same request.

The CHAIRMAN. The gentleman from Ohio [Mr. Fess] also asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

The Clerk read as follows:

Office of the Chief of Staff: Chief clerk, \$2,250; clerks—3 at \$2,000 each, 6 at \$1,800 each, 9 at \$1,600 each, 12 at \$1,400 each, 16 at \$1,200 each, 10 at \$1,000 each; captain of watch, \$900; 3 watchmen; gardener, \$720; packer, \$840; chief messenger, \$1,000; messenger; 17 messengers, at \$720 each; laborer; 2 laborers, at \$600 each; 5 charwomen; in all, \$101,210.

Mr. DENT. Mr. Chairman, I reserve a point of order on that item.

The CHAIRMAN. The gentleman from Alabama reserves a point of order on the item.

Mr. DENT. I would like to ask the chairman of the committee if this item has heretofore been carried in this bill?

Mr. BYRNS of Tennessee. It has not.

Mr. DENT. It has been carried in the Army appropriation bill?

Mr. BYRNS of Tennessee. Not in this form. The clerks appropriated for have been carried in the bill, though not in this form.

Mr. DENT. Substantially in this form?

Mr. BYRNS of Tennessee. Not by any means.

Mr. DENT. I think the gentleman is mistaken about that.

Mr. BYRNS of Tennessee. I do not think the form in which it is carried in the Army bill conforms at all to the paragraph in this bill.

Mr. DENT. Well, Mr. Chairman, I make the point of order.

Mr. STAFFORD. Will the gentleman reserve his point of order?

Mr. BYRNS of Tennessee. Let him make it.

Mr. STAFFORD. Will the gentleman reserve the point of order for a statement?

Mr. DENT. I will.

Mr. STAFFORD. Mr. Chairman, during the consideration of the Army appropriation bill last year, when this item was reached in that bill, I took occasion to ask the then chairman of the committee whether he would have any objection to having these clerks carried in the legislative, executive, and judicial appropriation bill. The then chairman, Judge Hay, admitted that they were properly departmental clerks, and as the item had from the first been so segregated as to separate the departmental from the field clerks he recognized and approved the idea of having them carried in the legislative, executive, and judicial appropriation bill.

Of course the opinion of Judge Hay is not binding upon the present chairman of the Committee on Military Affairs, and yet his opinion is worthy of consideration as to the administration not only of the War Department but of the Army service, and also the departmental service here in Washington. It was his judgment that these clerks were necessarily a part of the departmental service, just as much as any other bureau clerks in the War Department.

Can the gentleman advance any good reason why they should not be included in the legislative bill, in consonance with good legislation?

Mr. DENT. I will answer the gentleman. I do not recall that the former chairman of the Committee on Military Affairs made that concession. I was not aware of it until the gentleman made his statement. I have the greatest respect in the world for any opinion that the former chairman of the committee entertained, and am disposed to follow it. I repeat, I do not recall that he made that concession, but I know, as a matter of fact, that these clerks are subject under the law to be carried by the Chief of Staff anywhere out into the field at any time. They are not

localized clerks here in the District of Columbia. The Chief of Staff can take them anywhere he wants to in the field.

Mr. STAFFORD. Where are they now employed in fact, and where have they been employed in fact?

Mr. DENT. They are in point of fact employed here, but at any time when the Chief of Staff desires to take them somewhere else he has the right to do so.

Now, Mr. Chairman, this identical question was decided in the House in 1904, shortly after the office of Chief of Staff with its clerks was created by the act of 1903. Mr. UNDERWOOD, of Alabama, who was then a member of the Committee on Appropriations of the House, made a point of order against the appropriation brought in by the Committee on Military Affairs carrying this identical item.

Mr. STAFFORD. Right at that point—

Mr. DENT. Let me finish the statement. He made the point of order that this item ought to be appropriated for by the Committee on Appropriations instead of the Committee on Military Affairs. Mr. OLMSTED, of Pennsylvania, was Chairman of the Committee of the Whole, and he rendered an opinion that this item should be included in the Army appropriation bill instead of the legislative bill, reported by the Committee on Appropriations; and ever since 1904 this item has been carried in the Army appropriation bill instead of in the legislative, executive, and judicial appropriation bill.

Mr. STAFFORD. Can the gentleman inform the committee whether, at the time Mr. UNDERWOOD made that point of order, the paragraph was the same identical paragraph, or was it in fact as it was prior to last year's Army appropriation bill, different, and included the Army field force?

Mr. DENT. No. It was practically the same.

Mr. STAFFORD. Oh, "practically"; yes.

Mr. DENT. It was practically the same.

Mr. STAFFORD. If the gentleman will examine the item to which Mr. UNDERWOOD raised the objection, he will find that it carried field clerks. They are a part of the Army appropriation bill.

Mr. DENT. The point of order was not overruled at that time on that point, but it was because the clerks and employees of the Chief of Staff were subject to removal to the field by the Chief of Staff at any time, and therefore they were subject to Army regulations.

Mr. STAFFORD. Where is the gentleman's authority for the statement that these clerks are subject to be removed with the Army into the field?

Mr. DENT. It is under the law.

Mr. STAFFORD. I question that—that there is any such law, with all due deference to the gentleman's position as chairman of the Committee on Military Affairs. The Chief of Staff has the right to detail the field clerks, it is true.

Mr. DENT. In order to bring this matter to a point, Mr. Chairman, I simply want to know where the Committee on Military Affairs stands on this proposition. We have had the Quartermaster General before us on this very subject. We have gone over it, and I do not want to duplicate the work, and I have no desire, so far as I am concerned, to have an Army bill brought in here larger than I can possibly help in order to carry out the law. I am perfectly willing for some other committee to take that responsibility. But I call the attention of the chairman to the fact that in volume 4 of Hinds' Precedents, section 4182, this identical question was decided in 1904, and ever since then this provision has been carried in the Army appropriation bill, and not in the legislative bill.

Mr. BYRNS of Tennessee. Mr. Chairman, I want to call the attention of the Chair to volume 4, page 700, of Hinds' Precedents. I just want to read a portion of it. I read:

4033. The jurisdiction of the Committee on Appropriations over appropriations as related to the jurisdiction of other committees having the power of reporting appropriation bills.

The services of the departments in Washington, except the Agricultural Department, are appropriated for in the legislative, executive, and judicial bill, which is reported by the Committee on Appropriations.

While the Committee on Appropriations has jurisdiction to report appropriations, the power to report legislation authorizing appropriations belongs to other committees.

In general, the Committee on Appropriations has jurisdiction of appropriations for all the offices and clerkships in the departments of the Government in Washington.

I am sure that no one will deny that that holding is not supported by all the authorities. Reading again from page 701 of Hinds' Precedents:

While the Committee on Military Affairs report the Army appropriation bill and Military Academy appropriation bill, and also all legislation authorizing new military posts, military parks, new arsenals, soldiers' homes, etc., yet the Committee on Appropriations has jurisdiction of a range of appropriations relating to the Military Establishment. Thus, appropriations for machinery, care, preservation, improvements, etc., of armories and arsenals, for military posts, for military parks, and for the National Home for Disabled Volunteer Soldiers are pro-

vided by the Appropriations Committee. Fortifications are, by rule, within the jurisdiction of the Appropriations Committee.

And the same is true of the jurisdiction of the Committee on Appropriations with reference to the appropriations for the Naval Committee.

Now, Mr. Chairman, the gentleman from Alabama has called your attention to a decision rendered in 1904, on page 773 of volume 4, *Hinds' Precedents*. I want to call the attention of the Chair to the fact that that decision was rendered on an item which provided—

for pay to clerks and messengers at headquarters of divisions and departments and office of the Chief of Staff.

Naturally, there was no way for the Chair or anyone else to segregate the clerks who were going to be employed here in Washington under the office of the Chief of Staff from those who were going to be employed as clerks and messengers at headquarters of divisions in the field, and that was the theory upon which the Chair went at that time. Now, that does not obtain at this time, Mr. Chairman, because the whole situation has been changed. The method of making the appropriations has been changed.

The CHAIRMAN. The Chair would like to ask the gentleman this question: Is there any law providing that the Chief of Staff shall keep his office in Washington?

Mr. KAHN. I can answer that question.

The CHAIRMAN. The Chair thought probably the gentleman in charge of the bill could answer it.

Mr. BYRNS of Tennessee. Mr. Chairman, the last Army appropriation bill segregated the employees and provided for a number of clerks, messengers, and watchmen in the following form:

Clerks, messengers, and laborers, office of the Chief of Staff.

And under that heading set forth the appropriation that is sought to be made in this particular bill. Then it followed with a paragraph:

Clerks and messengers for headquarters of the several territorial departments, districts, divisions and brigades, and service schools.

And under that heading set forth the number of clerks and messengers who were to be employed in the field.

Therefore, I say that it must appear to the Chair that these clerks and these messengers and these watchmen are to be employed here in the city of Washington, and that this is a matter for the legislative, executive, and judicial appropriation bill.

The CHAIRMAN. The Chair will again ask the gentleman whether there is any law which provides that the Chief of Staff shall keep his office in Washington or whether it may be moved to other places?

Mr. BYRNS of Tennessee. He is here now. His office is in the War Department.

The CHAIRMAN. If the occasion should require to-morrow, could he move his headquarters from Washington to some other place, and carry with it the different clerks and other employees provided for in this bill?

Mr. BYRNS of Tennessee. His office is in Washington. Quarters are assigned to him in the War Department. His permanent place is here in the city of Washington.

Mr. DENT. If the gentleman will yield right at that point—

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Alabama?

Mr. BYRNS of Tennessee. I yield.

Mr. DENT. There is a proviso carried in the last Army appropriation bill, and I do not know how far back it has been carried, and it is in the tentative bill that we are now considering, providing that these men may be moved from place to place.

Mr. BYRNS of Tennessee. Oh, I beg to differ with the gentleman. There is no such proviso in this bill.

Mr. DENT. I am talking about the Army appropriation bill.

Mr. BYRNS of Tennessee. I have the last Army appropriation bill here before me, and I beg to differ with the gentleman. There is no such provision as that. There is this kind of a proviso, which probably the gentleman refers to:

That no clerk, messenger, or laborer at headquarters of tactical divisions, military departments, brigades, service schools, and office of the Chief of Staff shall be assigned to duty in any bureau of the War Department.

Mr. DENT. The gentleman did not read the first part of that provision.

Mr. BYRNS of Tennessee. I will read it:

Provided, That said clerks, messengers, and laborers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve.

That applies not to the clerks under the Chief of Staff, but to the Army and field clerks and clerks and messengers for the headquarters of the several territorial departments, districts, divisions and brigades, and service schools. I submit, Mr.

Chairman, in all fairness, that that provision has absolutely no application to the paragraph preceding, which makes appropriation for clerks and messengers in the office of the Chief of Staff.

Mr. MANN. Will the gentleman yield again?

Mr. BYRNS of Tennessee. I yield.

Mr. MANN. What, then, does the proviso mean?

Mr. BYRNS of Tennessee. I do not understand the gentleman.

Mr. MANN. What, then, does the proviso to the proviso mean?

Here is the first proviso, which relates to "said clerks," and so forth. Then there is a second proviso limiting the first proviso, the second proviso expressly naming the clerks in the office of the Chief of Staff. That proviso is a limitation on the first proviso.

Mr. BYRNS of Tennessee. The gentleman certainly would not contend that a proviso attached to one paragraph would apply to a preceding paragraph in the bill, without specifically saying so.

Mr. MANN. This proviso is not attached to any paragraph.

Mr. BYRNS of Tennessee. Oh, it is a part of that paragraph.

Mr. MANN. I beg the gentleman's pardon.

Mr. BYRNS of Tennessee. It is so printed.

Mr. MANN. Not at all. The proviso comes in as a separate paragraph, after the paragraph reading "for commutation of quarters and of heat and light." It follows as a separate paragraph, but referring back to the previous paragraph by saying "said clerks," and names specifically all of the offices to which the clerks belong, and one of them is the office of the Chief of Staff. There can be no question about that proviso.

Mr. BYRNS of Tennessee. I take it that the reason which actuated the committee in separating this force was the desire to provide commutation of quarters and heat and light. That is a further argument in favor of the position I am taking. It was desired, by making this separation, to provide commutation of quarters and heat and light for those clerks not employed in the city of Washington.

I take it the object of the Military Affairs Committee in undertaking to segregate these clerks and messengers required for headquarters in the War Department was for the purpose of giving to the field clerk commutation of quarters, heat, and light. I can see no other reason that could actuate the committee in segregating the force carried theretofore under general terms.

I contend that the decision cited by the gentleman from Alabama can have no application to the question here, because we are operating under a different form of appropriation entirely.

In addition to that, Mr. Chairman, the Chief of Coast Artillery, whose clerks were carried under the Army appropriation bills last year and the preceding year, has made his estimate and submitted it to the Committee on Appropriations, and it is contained in this bill. I can see no reason why, if those clerks are to be carried in this bill, these clerks here should not be carried in this bill also.

Mr. DENT. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. DENT. The gentleman is bound to concede that the Chief of Staff can be ordered by the President or the Secretary of War anywhere he wants him to go throughout the continental limits of the country. Would the gentleman hold that he could not take his clerks along with him, his messengers, and people he had in his employ?

Mr. BYRNS of Tennessee. The President, of course, is the Commander in Chief, and he can always order the Chief of Staff to any point, but the gentleman does not mean to contend that he would take all of his clerks, his watchmen, and his messengers when ordered to some particular detail?

Mr. DENT. He may not take all, but he may take those he needs.

Mr. BYRNS of Tennessee. The law allows him to take all the field clerks and the headquarters clerks, but these are not field clerks or headquarters clerks.

Mr. TILSON. Mr. Chairman, I wish to call the chairman's attention to the act approved February 14, 1903, establishing the General Staff. That act prescribes the duties, the terms of service, the details, restrictions, and exceptions relating to the General Staff. It includes the duties of the Chief of Staff, but nowhere in that act does it locate or attempt to fix the office of the Chief of Staff in Washington. There was a purpose in that, because it might possibly become of prime importance or vital necessity that the Chief of Staff should remove his headquarters to some other place than Washington. If so, are we to have a Chief of Staff elsewhere without a clerical force to assist him, and at the same time to have a considerable clerical force in Washington with nothing to do? That would be the possible and logical result of the contention of the gentleman from Tennessee. There is nothing in the law that fixes the headquarters of the Chief of Staff in Washington, and the necessary clerical force

for those headquarters should not be provided for in a bill restricted to appropriations within the District of Columbia.

Mr. KAHN. Mr. Chairman, the gentleman from Tennessee [Mr. BYRNS] assumes that the Committee on Military Affairs segregated these clerks, because some of them were to be employed in Washington and some in the field. The gentleman is mistaken. Under the national-defense act the field clerks were given a new status. They were given commutation of heat and light in addition to their pay, and that is why they were segregated. But the national-defense act provided for new conditions in the General Staff. That act reads that—

Not more than one-half of all the officers detailed in said corps shall at any time be stationed or assigned to or employed upon any duty in or near the District of Columbia.

In other words, the national-defense act says specifically that not over one-half of the officers of the General Staff can remain here in Washington.

Mr. BYRNS of Tennessee. As a matter of fact, that has reference to the officers. With reference to these clerks, are they not all clerks employed in Washington, and have they not been employed here from year to year?

Mr. KAHN. I do not think so. They are doubtlessly subject to detail, to be transferred with the staff officers.

Mr. BYRNS of Tennessee. I wish the gentleman would point to some law that authorizes the detail of these clerks employed in the city of Washington and in the War Department to be detailed to the field.

Mr. KAHN. I think they have been doing that right straight along.

Mr. BYRNS of Tennessee. I would like the gentleman to furnish some law authorizing the detail. The bill carries an appropriation for field clerks.

Mr. KAHN. The field clerk does a specific work that is done by no other clerk, and the committee segregated him from the other clerks because the committee allowed him commutation of heat and light in addition to his pay. But, as I understand it, under the new law when the staff officers are sent away from Washington they will have to have clerical assistance, and these men will go.

Mr. BYRNS of Tennessee. Was not that the object in providing for the field clerks?

Mr. KAHN. No; field clerks have been in the department right straight along. It was the purpose of the committee to give them an addition to their pay, and the committee gave them heat and light. That is why they were segregated.

Mr. BYRNS of Tennessee. I would like the gentleman to show the law authorizing the detail of these clerks to the field service.

Mr. KAHN. I think that that has been the custom of the department right along.

Mr. FIELDS. Mr. Chairman, as bearing further upon the point made by the gentleman from California [Mr. KAHN] that not more than half of the officers shall at any time be on duty in the District of Columbia, I desire to submit this observation: As I understand it, these are the clerks and other employees of the Chief of Staff. The law specifically provides that not more than half of the officers of the Chief of Staff may at any time be on duty within the District of Columbia or near thereto, but under the law more than half of them may be detailed to the field service. Therefore one-half of them or more could at all times be in the field service, which would properly be field clerks, and I think that the War Department in submitting the list of estimates so classifies them. In that part of the list of estimates submitted, under which the Committee on Appropriations is operating, this item carrying these clerks does not appear, but on page 300 in the list of items of the Military Establishment, the list under which the Committee on Military Affairs is operating, this item carrying these clerks does appear. Therefore it is clear to my mind that the list submitted by the War Department supports the contention of the gentleman from Alabama [Mr. DENT], the chairman of the Committee on Military Affairs.

Mr. BYRNS of Tennessee. The gentleman does not intend to argue that, because the War Department has seen fit to follow the course always followed and submit its estimate to the Committee on Military Affairs for these clerks, that very fact is any reason why they should be carried in the military rather than in the legislative, executive, and judicial appropriation bill? That is a matter which must be decided by the rules of the House.

Mr. FIELDS. That is true, but the War Department understands the rules of the House, and I would consider the War Department good authority on the question as to whether or not these clerks belong permanently within the District of Columbia, and the point I am making is that the War Department has not classified them as District clerks.

Mr. BYRNS of Tennessee. I do not think we are prepared to permit the War Department to construe the rules of the House with reference to appropriations or any other matter that may come before us. I want to ask the gentleman another question— if the Chief of Coast Artillery is not a part of the office of the Chief of Staff?

Mr. DENT. Oh, no; he is not.

Mr. BYRNS of Tennessee. I was under the impression that he was.

Mr. FIELDS. No; I have the law before me. It is perfectly plain.

Mr. BYRNS of Tennessee. The reason I asked the question is this. In the national-defense act I read this:

And the Chief of Coast Artillery shall be an additional member of the General Staff Corps and shall also be adviser to, and informant of, the Chief of Staff in respect to the business under his charge.

I think that would make him a member of the office of Chief of Staff.

Mr. DENT. No more than any other person is adviser to him.

Mr. BYRNS of Tennessee. But it says that he shall be an additional member of the General Staff Corps, and the gentleman from California [Mr. KAHN] was just reading the law and arguing the proposition that the Staff Corps should not be permitted to stay in one place more than a certain period of time. I submit that if the Chief of the Coast Artillery is a member of the Staff Corps, and this law seems to clearly indicate that his clerks are appropriated for in this bill, then the War Department, upon which the gentleman from Kentucky [Mr. FIELDS] so confidently relies, is on record as saying that his force should be properly carried in this bill.

Mr. FIELDS. I read from the law, section 5 of the defense act of June 3, 1916, as follows:

The General Staff Corps shall consist of one Chief of Staff, detailed in time of peace from major generals of the line; two assistants to the Chief of Staff, who shall be general officers of the line, one of whom, not above the grade of brigadier general, shall be the president of the Army War College; 10 colonels; 10 lieutenant colonels; 15 majors; and 17 captains, to be detailed from corresponding grades in the Army, as in this section hereinafter provided.

And paragraph 2 of the section continues:

Not more than one-half of all of the officers detailed in said corps shall at any time be stationed, or assigned to or employed upon any duty, in or near the District of Columbia.

Which proves conclusively to my mind that this is a field and not a District organization. Therefore, I maintain that the point of order should lie.

Mr. STAFFORD. Mr. Chairman, the question for the Chair to decide is whether these clerks are connected with the War Department or any bureau thereof here in Washington or whether they are connected with some service in the field. Under the rules of the House if they are connected with the departmental service they must necessarily be included as a part of the legislative, executive, and judicial appropriation bill, for certainly the authority conferred by the rules on the Committee on Military Affairs gives it no jurisdiction so far as these clerks are concerned if they are connected with the bureau here in Washington. The authority of that committee is limited under the rule, as follows:

To the Military Establishment, the militia, and the public defense, including the appropriations for their support and for that of the Military Academy, to the Committee on Military Affairs.

Last year for the first time in the Army appropriation act, as is confirmed by the CONGRESSIONAL RECORD, when this item was under consideration, the clerks connected with the Chief of Staff, so far as the department is concerned, and the clerks connected with the Chief of Staff, so far as the field service is concerned, were separated. I direct the attention of the Chair to the compilation of the appropriation acts of the last Congress, pages 58 and 59. On page 58, under the heading "Clerks, messengers, and laborers, office of the Chief of Staff," are included those clerks now carried in this item, and it was admitted last year by the chairman of the Committee on Military Affairs that the clerks connected with the Bureau of the Chief of Staff were properly a part of the legislative, executive, and judicial appropriation bill. Then follows the next paragraph, which for the first time segregated those Army field clerks under the title "Clerks and messengers for headquarters of the several territorial departments, districts, divisions, brigades, and service school," to which are attached the provisos which have been called to the attention of the Chair by the chairman of the committee, Mr. BYRNS, and by the gentleman from Illinois [Mr. MANN]. That second provision adverted to by the gentleman from Illinois in no wise militates against the position of the Committee on Appropriations that these field clerks may be in the judgment of the Chief of Staff delegated from field duty to the bureau here, and that is all the effect of the last proviso. Is there any-

thing in the law creating the office of the Chief of Staff suggesting a different construction? I have here the act referred to by the gentleman from Connecticut [Mr. TILSON], and other gentlemen who have participated in the debate, of February 14, 1903. That act creates the office of the Chief of Staff, but there is nothing in that act which shows that the Chief of Staff shall not have his office here in the city of Washington.

His office has certain duties to perform, just like the office of the Bureau of Naval Operations. The work of that bureau extends entirely out in the field, and yet they have the office here in Washington. Why, the President of the United States, as Commander in Chief of the field forces, can detail the Secretary of War, can detail the Secretary of the Navy, or any of these officers who are assigned to departmental work, out into the field, but departmental officials connected with the executive branch of the Government are rightly carried in this bill. To confirm that position I would direct the Chair's attention to this phraseology of this act creating the office of the Chief of Staff to show it was the intention of Congress that this bureau should be established here. I direct the Chair's attention to part of section 3, which is as follows—

The CHAIRMAN. What is the gentleman reading from?

Mr. STAFFORD. Section 3 of the act creating the office of Chief of Staff:

All officers detailed in the General Staff Corps shall be detailed therein for periods of four years, unless sooner relieved. While serving in the General Staff Corps officers may be temporarily assigned to duty with any branch of the Army.

That is the rule applicable in the Navy Department. The law says they may be assigned to duty only in connection with these bureaus for four years, and that very idea was carried out by Congress in creating this office of Chief of Staff.

Great stress is laid by the chairman of the Military Committee on the decision of Mr. Olmsted, but that decision, instead of upholding his position, upholds the position of the Committee on Appropriations. Mr. Olmsted could not do less than decide in favor of the Committee on Military Affairs, because that was before these clerks were divided into departmental clerks and field clerks, and the phraseology which is referred to by Mr. Olmsted in that opinion shows that they were governmental clerks connected with divisions in the field. I read to the Chair from the opinion of Mr. Olmsted:

Each head of a department is authorized to employ in his department such number of clerks as the several classes recognized by law, and such messengers, assistant messengers, copyists, watchmen, laborers, and other employees, and at such rates of compensation, respectively, as may be appropriated for by Congress from year to year.

Salaries for such clerks and employees are properly carried in the legislative and not in the Army bill. As to what constitutes a "department," I call the attention of the Chair to an opinion of the Attorney General of the United States directly in point. It is found in Opinions of the Attorney General, volume 15, page 267, and reads as follows:

The several executive departments are by law established at the seat of government. They have no existence elsewhere. Only those bureaus and offices can be deemed bureaus or offices in any of these departments which are constituted such by the law of the organization.

And this is a bureau; there is no question about that. The gentleman from Alabama [Mr. DENT] admits that these clerks are employed in a department here in Washington. The gentleman admits that.

Mr. DENT. The gentleman admits what?

Mr. STAFFORD. The fact that they are here in Washington. It is true they have been paid for out of the Army appropriation bill, because they were bulked with the Army field clerks, but last year for the first time they were segregated so that the proper committee could take legislative authority over them.

Mr. DENT. The gentleman stated what, he claims, I admitted. Indeed, I do not admit clerks in the office of the Chief of Staff are clerks in a bureau, for my contention is that the Chief of Staff is not a bureau, and that is exactly what Mr. Olmsted decided.

Mr. STAFFORD. You may call it a division, or call it what you will, the fact remains the gentleman admitted without any question or quibble that they were assigned to work here in the District of Columbia. You may call it a bureau or call it a division or a department or an establishment, but the fact is they are employed here in Washington.

Mr. TILSON. Will the gentleman yield?

Mr. STAFFORD. I will yield.

Mr. TILSON. But the gentleman does not contend they could not be removed from here to-morrow if it was desired to have them removed to Baltimore or Seattle or to wherever they wished to remove them?

Mr. STAFFORD. I do. There is no authority of law authorizing their deportation out of the District of Columbia.

Mr. TILSON. Does the gentleman contend there is anything that established the Chief of Staff's office in Washington?

Mr. STAFFORD. The fact remains it is here, and there is no authority of law that shows it is established anywhere else. Being here as part of the War Department and with officers detailed under the act originating the Chief of Staff shows that it was intended that it should be here. Of course, the Chief of Staff himself may go out in the field when the exigency arises, like the Secretary of War, or any admiral connected with the bureaus of the Navy Department. Now, if the Chair please, going on with this decision, it says:

The words embraced in lines 13, 14, and 15, on page 6, "And said clerks and messengers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve," would if introduced for the first time in this bill be open to objection, but it appears to be the identical language which is in the existing law, the Army appropriation bill of last year.

Mr. Olmsted held:

This paragraph appropriates "For pay to clerks and messengers at headquarters of divisions and departments and office of the Chief of Staff."

There is mixed up in that amendment provision for clerks out in the field. We do not contend for one minute if the amendment in this bill provided for clerks at divisions that it would be permissible for the Committee on Appropriations to incorporate them into this bill; but it is admitted by Mr. DENT that they are connected with the Chief of Staff, who has his headquarters here, a fact which is admitted and acknowledged, and they are performing work just like the Bureau of Navigation and other bureaus of the Army and Navy. So we respectfully contend that they are part of the legislative bill.

The CHAIRMAN. The Chair would like to ask the gentleman what is the difference between the commanding general of the Army and the Chief of Staff?

Mr. STAFFORD. Only that the Chief of Staff is subject to the orders of the Commander in Chief of the Army.

The CHAIRMAN. Could not the commanding general and the Chief of Staff be one and the same person, and are they not one and the same person in the event of war?

Mr. STAFFORD. No. Under the Constitution the President is commanding general of the military forces of the country, and, of course, we could not vary a constitutional provision by any legislative enactment.

Mr. TILSON. Will the gentleman yield for an interruption?

Mr. STAFFORD. Yes.

Mr. TILSON. I understand the Chairman to refer to what was formerly the commanding general of the Army, whose duties by this particular act were passed over to the Chief of Staff, whose duties very largely become the duties of the Chief of Staff, and are to-day?

The CHAIRMAN. Does the gentleman from Wisconsin [Mr. STAFFORD] agree to that statement?

Mr. STAFFORD. I am not acquainted with the history of the merger of these two services. I do not know where the commanding general had his headquarters prior to the enactment of this law. I only know that the Chief of Staff has his headquarters here in Washington, just as the head of the respective bureaus of the Navy Department and the War Department. The head of the Bureau of Ordnance, Gen. Crozier, has his office here, and yet his work applies to all the arsenals throughout the country.

Mr. Sisson. Mr. Chairman, every officer of the United States Army may be detailed, and if the Chair will get this idea I think he will find a difference between the detail of officers and detail of clerks. Now, any officer of the United States Army is subject to detail at any time, either in Washington or in the field. You could take Gen. McCain, The Adjutant General of the Army, and he is subject to detail at any time, but his clerks are not, nor any clerk in that department. So you can take every bureau of the War Department presided over by an Army officer, and it is subject to detail. If you will read all those provisos, Mr. Chairman, there is a general statute providing that they can not detail men here in the office in Washington to the field, though men in the field, under the general statute, may be detailed here to Washington.

Now, as to the Army field force. In order to make it more mobile it is provided that the field force may be detailed to come to Washington, and when they are detailed to come to Washington to perform certain functions they do not lose their post as field clerks; but all of those employed here permanently, as the force here in the city of Washington and not the field force, is the force that we are contending is carried regularly in this bill under the rules of the House. But the provisos

permit—and it is necessary to have that proviso there—that in the reorganization of the Army the field force can be brought to Washington, and then be taken back. But that is not true as to any permanent force in any department. Any force in the War Department that is maintained here must stay here. That is for the purpose of keeping segregated the items of appropriation in reference to pure administrative matters here in the city of Washington, and the field operations of the Army or the field operations of the Post Office Department or the field operations of the revenue department and all other departments of the Government.

So, Mr. Chairman, in the appropriation bill itself these items are kept absolutely separate although presided over by the same committee, for the reason that you want to keep the purely administrative force here in Washington separated from what may be a field force. So the right contended here to have the field force sent into the city of Washington by detail does not mean that that applies to the regular force here in the department. And since these regular clerks have been segregated here, doing the official work here in the office of the Chief of Staff, they ought to be carried in this bill, and all the field force is carried in the other bill.

I want to call your attention to another statute in reference to naval operations. And, by the way, they have been trying practically to get some kind of organization. Now, in naval operations they were kept separate. It says:

There shall be a chief of naval operations, who shall be an officer on the active list of the Navy appointed by the President, by and with the advice and consent of the Senate, from among the officers of the line of the Navy not below the grade of captain for a period of four years, who shall, under the direction of the Secretary of the Navy, be charged with the operations of the fleet, and with the preparation and readiness of plans for its use in war: *Provided*, That if an officer of the grade of captain be appointed chief of naval operations, he shall have the rank, title, and emoluments of a rear admiral while holding that position.

Now, this officer in the Navy occupies identically the same place in the organization of the Navy that the Chief of Staff occupies in the organization of the Army. That field force is called upon to make reports to this office here of all of their doings in the field, and the purpose of this force is to keep straight all of the accounts, all of the orders, the whereabouts of all the officers in the Army, just as this force keeps up with the whereabouts of the Navy. Therefore, this head of the Army has an office here, and with that office he has nothing to do, and you do not give him the right to tear up his permanent organization here, the duty of which is to keep perfectly straight the accounts of all the officers in the field. That is the rule that prevails in the Army and should prevail in the Navy. And as they separated the clerks from that item in the appropriation bill under the rules of the House, they should be carried as a part of the force here in the city of Washington. That is the contention that they made here, and if the Chair will take the law and read it he will find it runs clear through the Army and Navy. You may say that the Army and Navy officers should do that. It is not their duty to see that it should be done; it is the duty of Congress to see that it is done, and then keep absolute track of the expenses in Washington and in the field. A great evil grew up some years ago, and it took a long series of rules in the House, and a great deal of legislation, to get those items separated. The reason that that rule grew up is because of the line of demarkation that is followed in all of the departments.

The Post Office Department and the Revenue-Cutter Service and the Lighthouse Service and the Navy and in all the Army except the office of the Chief of Staff, where they keep the clerks in Washington mixed and mingled with the other clerks, that is the situation; and the Chairman of the Committee of the Whole House not being able to segregate them, was compelled to say that if those clerks were mixed together, he could not segregate the two kinds; but they are segregated, and the Chief of Staff of the Army should be dealt with just as the Chief of Staff of the Navy is dealt with.

The CHAIRMAN. In the discussion on the point of order to the provision carried in the Army bill in 1904, to which the attention of the Chair has been called by the gentleman from Alabama [Mr. DENT], the Chair finds this language employed: "That the Chief of Staff, under the law creating the office, took the place of the commanding general of the Army," and that whenever the commanding general of the Army is mentioned in either law, it applies to the Chief of Staff; and it says, "that where the commanding general of the Army or the Chief of Staff goes, he necessarily or naturally carries with him his chief clerk or the men who attend to those duties." The Chief of Staff is the headquarters of the Army whether he is located in Washington, New York, or El Paso. That being true, it would remove him from the ordinary cases where the office is

by law located—in Washington. If a war should break out, naturally the Chief of Staff might need his chief clerk and might very necessarily carry the chief clerk as well as these other employees to the place wherever he establishes his headquarters. That being true, an appropriation being called for to maintain the Army, the question of jurisdiction would come up as to whether or not the Committee on Military Affairs, which is supposed to be composed of Members who have given special study and possessed of peculiar knowledge of military affairs—and I take it that that is true with respect to this committee—or the Committee on Appropriations, composed of Members who are not supposed to have given this special study to military questions, would have jurisdiction. The Chair thinks that the Committee on Military Affairs would be the appropriate committee and should have jurisdiction to handle in that event these appropriations.

In the decision to which the Chair is directed, rendered by Mr. Olmsted, that distinguished Chairman employs this language:

He is, speaking of the Chief of Staff, among other things, to "have supervision of all troops of the line" and to "perform such other military duties" as may be lawfully assigned him by the President. The Chair is of the opinion that he is not the head of a "department" within the meaning of the law and ruling of the Attorney General, but his relation to the War Department, so far as the bill is concerned, is of a character similar to that formerly sustained by the lieutenant general.

The proviso cited in the last appropriation bill, and to which the attention of the Chair has been directed, reading as follows:

Provided, That said clerks, messengers, and laborers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve: *Provided*, That no clerk, messenger, or laborer at headquarters of tactical divisions, military departments, brigades, service schools, and office of the Chief of Staff shall be assigned to duty in any bureau in the War Department—

Certainly carries with it the idea that these places are not of a civil character, but are of military character, and the second proviso specially provides that these places "shall not be assigned to duty by the Chief of Staff in any bureau of the War Department."

The Chair is therefore of the opinion that the provisions herein contained, and which have been uniformly carried in the Army bill, are properly within the jurisdiction of the Military Affairs Committee and sustains the point of order.

The Clerk will read.

The Clerk read as follows:

Office of Quartermaster General: Chief clerk, \$2,750; principal clerks—5 at \$2,250 each, 3 at \$2,000 each; clerks—15 of class 4, 29 of class 3, 50 of class 2, 93 of class 1, 59 at \$1,000 each, 10 at \$900 each; advisory architect, \$4,000; draftsmen—3 at \$1,800 each, 7 at \$1,600 each, 5 at \$1,400 each; supervising engineer, \$2,750; hydraulic and sanitary engineer, \$2,000; civil engineer, \$1,800; electrical engineer, \$2,000; electrical and mechanical engineer, \$2,250; marine engineer, \$3,500; sanitary and heating engineer, \$1,800; 6 messengers; 14 assistant messenger; 12 laborers; laborers, \$600; in all, \$410,340.

Mr. DILL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Washington.

The Clerk read as follows:

Amendment by Mr. DILL: On page 69, line 6, strike out "12" and insert "13"; and strike out the words "laborers, \$600"; and strike out "\$410,340" and insert "\$410,400."

Mr. BYRNS of Tennessee. Mr. Chairman, I make a point of order on that.

Mr. DILL. Mr. Chairman, I think the point of order will not lie against this amendment, for the reason that we are simply increasing the number of laborers by one, and in the ruling of the Chair yesterday, which was as to a similar amendment regarding messengers, the point of order did not lie.

Mr. BYRNS of Tennessee. Mr. Chairman, the amendment on its face shows that it is nothing more nor less than an effort—and I do not think the gentleman from Washington will deny that—to increase the salary of this laborer from \$600 to \$600, and under the law, as fixed in the last appropriation bill, his salary is \$600. The amendment on its face shows that.

Mr. DILL. The same may be true with respect to the messenger, for that matter, and the ruling yesterday was that an amendment providing for a new messenger was in order.

The CHAIRMAN. The Chair thinks that the point of order should be sustained. It increases the appropriation.

Mr. DILL. Then, Mr. Chairman, I move to strike out the last word, for the purpose of making some observations.

The CHAIRMAN. The gentleman from Washington moves to strike out the last word.

Mr. DILL. I am not surprised that the chairman of the committee makes the point of order. In the light of the attitude of the committee regarding these low-paid employees, I may mention that I was reminded repeatedly yesterday in the discussion, by both the chairman of the committee [Mr. BYRNS of Tennessee]

and the gentleman from Iowa [Mr. Goob], of the statement of Mr. Denning—I think that is his name—of the Post Office Department, to the effect that the salaries paid to Government employees are from 15 to 30 per cent higher than are paid to similar kinds of employees in private work. I have since taken occasion to read the statement of Mr. Denning, and on page 367 of the hearings I find that Mr. Denning, the man to whom the gentlemen of the committee was so glad to refer as an authority, recommends an increase in the pay of laborers from \$660 to \$720. And on page 373 he makes the statement that he believes that \$720 is the lowest wage upon which a man can live in this city.

Now, I take it that the position of the committee was that if a man received \$660 a 10 per cent increase would bring him up to the \$720. But such an argument can not be made in explanation of retaining laborers at \$600, because the 10 per cent increase will only bring them to the \$660 limit. Yet the committee insists upon holding these and other laborers down to the \$600 standard. If the gentleman from Iowa and the gentleman from Tennessee, who were so willing to support their position yesterday on the testimony of Mr. Denning, who had made these investigations, believe his argument good then, they should be willing to accept his other statement now.

Mr. Chairman, considerable was said in the discussion to the effect that private employers are not paying any more than the Government, or not paying as much. When you propose to raise the wages of a poorly paid Government employee, the argument is always made that the private employer does not pay as much; and the private employer points to the Government as proof conclusive that he should not pay any more, and in that way both of them manage to keep these wages down.

The CHAIRMAN (Mr. FOSTER). The time of the gentleman from Washington has expired.

The Clerk read as follows:

Office of Solicitor: Solicitor, \$4,000; law clerks—1 \$2,500, 1 \$2,250, 2 at \$2,000 each; clerks—1 of class 4, 2 of class 3, 1 of class 2, 1 \$840; messenger, \$600; in all, \$20,590.

The CHAIRMAN. The Chair begs to call the attention of the chairman of the committee to a typographical error in line 23, page 76, where the dollar mark is transposed.

Mr. MANN. And there is another typographical error in line 8, page 73, where the word "adjacent" is spelled with two "d's."

Mr. BYRNS of Tennessee. I ask unanimous consent that the Clerk correct those errors.

The CHAIRMAN. Without objection, they will be corrected. There was no objection.

The Clerk read as follows:

Pension Office: Commissioner, \$5,000; deputy commissioner, \$3,600; chief clerk, \$2,500; assistant chief clerk, \$2,000; medical referee, \$3,000; assistant medical referee, \$2,250; qualified surgeon, \$2,000; 11 medical examiners, at \$1,800 each; 8 chiefs of divisions, at \$2,000 each; law clerk, \$2,250; chief of board of review, \$2,250; 39 principal examiners, at \$2,000 each; private secretary, to be selected and appointed by the Commissioner of Pensions, \$2,000; 11 assistant chiefs of divisions, at \$1,800 each; 3 stenographers, at \$1,600 each; disbursing clerk for the payment of pensions, \$4,000; deputy disbursing clerk, \$2,750; 3 supervising clerks in the disbursing division, at \$2,000 each; clerks—97 of class 4, 89 of class 3, 259 of class 2, 328 of class 1, 69 at \$1,000 each; 39 copyists; 28 messengers; 10 assistant messengers; skilled laborer, \$660; 9 messenger boys, at \$400 each; superintendent of building, \$1,400; 23 laborers; 10 female laborers, at \$400 each; 15 charwomen; painter and cabinetmaker, skilled in their trades, at \$900 each; captain of the watch, \$840; 3 sergeants of the watch, at \$750 each; 19 watchmen; 2 firemen; in all, \$1,434,470.

Mr. BYRNS of Tennessee. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: On page 93, in line 8, strike out the words "qualified surgeon, \$2,000" and insert in lieu thereof "two qualified surgeons, at \$2,000 each"; and in the same line strike out "eleven" and insert in lieu thereof "ten"; and on page 94, in line 3, strike out the sum "\$1,424,470" and insert the sum "\$1,424,670."

The amendment was agreed to.

The Clerk read as follows:

For rent of buildings and parts of buildings in the District of Columbia, \$36,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. In last year's legislative appropriation act a provision was carried in the following language:

The Attorney General is authorized to enter into a contract for the lease of a modern fireproof office building for the use of the Department of Justice, for a period not exceeding five years, renewable at the option of the Government for an additional period not exceeding five years, at an annual rental not exceeding \$36,000, and a rate per annum per square foot of available floor space not to exceed 36.3 cents.

A similar provision was carried in the act authorizing the Secretary of Labor to enter into a like contract.

When the hearings were had this year, to my amazement I found that the Department of Justice had failed absolutely to

carry out the clear mandate of Congress in entering into a lease for a period of five years without any option for an extension of five years. The lease for the new building was for the period of five years with the right to terminate it at the end of any year. You would have thought that if there would be a department of the Government that might be at fault in carrying out the clear language expressive of the intention of Congress it would be some other department than the Department of Justice. The Department of Labor had no difficulty in determining what was the intention of Congress in that clear language. The purpose of Congress was that there should be a lease not only for the term of five years, but that at the expiration of that time if it was found advisable and for the best interests of the Government to renew that lease for another five years, the department should have that right, and not be at the risk of being held up by the lessor.

I have no question with the department as to the rental that is paid for this new building or the character of the building. I do criticize the Department of Justice for acting directly contrary to the mandate of Congress, when it deliberately stated its policy so far as this lease was concerned. What was the purpose of Congress in providing that this lease should contain an option of renewal for five years? We all know that when these real estate owners get a department into a building, at the end of the first term of years they increase the rental. That has been the case with any number of these privately owned buildings. And yet we find the Department of Justice going directly contrary to the express will of Congress.

No excuse is given, none whatever, for this infraction of law; no language could be clearer than that which the House adopted last year. Perhaps the Attorney General may have been engaged during that time in campaigning about the country and did not have time to give his attention to this requirement of Congress. But even if the Attorney General did not have time to attend to this authorization, you would think that there would be some assistants, or even clerks, attached to the Department of Justice who would be able to interpret clear language and carry out the intentment of the law. They offer no excuse whatever.

I am taking this occasion to call the attention of the House to the matter, so that when the lease expires in five years, if the owners of the building should hold up Congress by charging an exorbitant rental for extension of the term, the fault will not lie with the Committee on Appropriations, but will be laid at the door of the Department of Justice.

Mr. BYRNS of Tennessee. Mr. Chairman, the chief clerk of the Department of Justice stated that under the contract made for this building the Government will only be required to pay 33½ cents per square foot of space. The rent is no greater than that which was paid for the several old buildings occupied by the Department of Justice, and which had less space. It is a better rental rate than has been made by any department of the Government, so far as I know. Some are paying 40 and 50 cents per square foot. I think it is a favorable rental contract, when you take into consideration what other departments are paying per square foot.

Mr. STAFFORD. Will the gentleman yield?

Mr. BYRNS of Tennessee. I will.

Mr. STAFFORD. What apology has the gentleman to offer for the Department of Justice refusing to follow the clear mandate of Congress in the terms of the lease?

Mr. BYRNS of Tennessee. I am not offering any apology for the Department of Justice in failing to make a contract giving the Government an option for a lease for an additional five years, except to say that it is well known that the Government intends to erect a building for the Department of Justice. That matter has been under discussion for several years, and I think it is generally expected that before the five years have expired such a building will be erected by the Government, and the Department of Justice will not need to occupy the present building. Now, taking into consideration that fact, the Department of Justice has gone further than Congress required it, and has made a rental contract which will protect the Government and prevent it from having to pay a continuing rent at the end of any one year. So if the Government does decide to erect the building within the next two, three, or four years, it is not required to continue occupying the building which it at present occupies. In other words, the Government has the right to terminate the lease at the end of any one year.

Mr. STAFFORD. Will the gentleman yield further?

Mr. BYRNS of Tennessee. Yes.

Mr. STAFFORD. Of course, it is purely problematical whether the Government, in view of the tremendous deficit that it is facing, will launch into a large building program for Government buildings, especially when it has favorable leases for

departmental purposes. But suppose the owners of the buildings at the expiration of the five-year period, when they have the department in there, demand an enormous rental; what will Congress do when there is no available space except in private office buildings where the rent is a dollar a square foot and over?

Mr. BYRNS of Tennessee. There is nothing for Congress to do except—

Mr. STAFFORD. To be held up.

Mr. BYRNS of Tennessee. No; not necessarily to be held up; we might do as we did in another department with which the gentleman is familiar and with which he had something to do—we could authorize the renting of other quarters, as we did in the case of the Department of Labor. I am not seeking to justify the department in failing to make a contract for an additional five years at its option, but I wanted to make this statement in justice to the department, which I think is entitled to credit for making a contract whereby we are paying less rent now than is paid by any other department of the Government for similar quarters, in so far as I have any knowledge.

The Clerk read as follows:

Commercial attachés: For commercial attachés, to be appointed by the Secretary of Commerce, after examination to be held under his direction to determine their competency, and to be accredited through the State Department, whose duties shall be to investigate and report upon such conditions in the manufacturing industries and trade of foreign countries as may be of interest to the United States; and for one clerk to each of said commercial attachés, to be paid a salary not to exceed \$1,500 each, and for necessary traveling and subsistence expenses, rent, purchase of reports, books of reference, and periodicals, travel to and from the United States, exchange on official checks, and all other necessary expenses not included in the foregoing; such commercial attachés shall serve directly under the Secretary of Commerce and shall report directly to him, \$100,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. The item which has just been read covers a most important work of our Government in trying to extend our foreign trade. The appropriation for the Bureau of Foreign and Domestic Commerce for commercial attachés and commercial agents and other activities has not been increased in this bill over that carried in the last appropriation bill. The head of the bureau came before the committee this year and made a strong argument showing the need of additional employees in his bureau and in the field in trying to capture foreign markets. I regret exceedingly that the committee did not think it wise to grant any of these allowances. Particularly was a strong showing made as to the need of commercial attachés to develop our export business with India and Russia and South America. This is the one bureau of the Government which must necessarily take care of the growing foreign commerce. I can only register my dissent to the policy of the committee, a niggardly policy, I regret to say, in not providing the necessary means to carry on this great work which is so valuable, especially at this time, in developing our foreign trade.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. TILSON. Has the gentleman sufficient information upon the subject to be willing to propose an amendment to add what he thinks would be a sufficient amount to do this work as it should be done?

Mr. STAFFORD. The appropriation should be increased at least \$100,000, but perhaps in view of the policy adopted here this afternoon of extravagance in expenditures in respect to the retention of needless assay offices and Subtreasuries, those gentlemen who voted for their retention might wish to justify their position by voting against any proposed increase which I might suggest upon the ground of economy.

Mr. TILSON. I agree with the gentleman that it is a work of great importance, and I should be prepared to vote for any reasonable amendment increasing the amount appropriated.

Mr. STAFFORD. Realizing there is not much hope of any such amendment being adopted, with the opposition of the committee to it, I shall not offer any.

The Clerk read as follows:

Steamboat-Inspection Service: Supervising Inspector General, \$4,000; chief clerk and Acting Supervising Inspector General in the absence of that officer, \$2,000; clerks—one of class 4, two of class 3, one of class 2, one of class 1, two at \$1,000 each, two at \$900 each; messenger, in all, \$18,240.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HARRISON of Mississippi, Chairman of the Committee of the Whole House on the state of the Union, re-

ported that that committee had had under consideration the bill H. R. 18542, the legislative, executive, and judicial appropriation bill, and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record upon the subject of this bill. The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record upon the subject of destitution in the families of guardsmen now stationed on the Mexican frontier, with leave to incorporate therein an article from the Public Ledger, of Philadelphia.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] asks unanimous consent to extend his remarks in the Record in the manner indicated. Is there objection?

There was no objection.

IMMIGRATION.

Mr. BURNETT. Mr. Speaker, I was about to ask unanimous consent to have sent to conference the bill H. R. 10384, the immigration bill, but gentlemen have asked that I withhold that request and make a request that the bill as it is reported from the Senate be printed, and I accordingly make that request.

The SPEAKER. The gentleman from Alabama asks unanimous consent that there shall be a print of the immigration bill as it comes from the Senate.

Mr. MANN. Of course, under that it will remain on the Speaker's table.

The SPEAKER. Yes.

Mr. BURNETT. I desire that it shall remain there.

The SPEAKER. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolution:

Resolved, That the Secretary notify the House of Representatives that the Senate has elected WILLARD SAULSBURY, a Senator from the State of Delaware, President of the Senate pro tempore, to hold and exercise the office in the absence of the Vice President from time to time during the pleasure of the Senate in accordance with the terms of its resolution passed March 12, 1890.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 9856. An act granting to the St. Louis, Iron Mountain & Southern Railway Co. and to the Anheuser-Busch Brewing Association and to the Manufacturers' Railway Co. permission to transfer certain rights of easement for railway purposes heretofore granted by the United States to the St. Louis & Iron Mountain Railroad Co. and to the Anheuser-Busch Brewing Association, respectively; and

H. R. 10049. An act for the relief of Capt. Harvey H. Young.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. FOSTER to withdraw from the files of the House, without leaving copies, the papers in the case of H. R. 6862, Sixtieth Congress, Emaranda Somerville, no adverse report having been made thereon.

Also, to Mr. SHOUSE, to withdraw the papers in the case of Nichol L. Nelson, Sixty-third Congress, no adverse report having been made thereon.

ADJOURNMENT.

Then, on motion of Mr. KITCHIN (at 5 o'clock and 48 minutes p. m.), the House adjourned until to-morrow, Saturday, December 16, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Commissioner of Internal Revenue submitting a deficiency estimate of appropriation for the service of the fiscal year 1917 (H. Doc. No. 1754); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of War submitting supplemental estimate of appropriation required by the Ordnance Department for the service of the fiscal

year 1918 (H. Doc. No. 1755); to the Committee on Military Affairs and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of War submitting a supplemental estimate of appropriation required for the Quartermaster Corps for the service of the fiscal year 1918 (H. Doc. No. 1756); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Mermentau River, La. (H. Doc. No. 1757); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. GARD, from the Committee on the Judiciary, to which was referred the joint resolution (H. J. Res. 1) proposing an amendment to the Constitution of the United States extending the right of suffrage to women, reported the same without amendment, accompanied by a report (No. 1216), which said joint resolution and report were referred to the House Calendar.

Mr. DEWALT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 18085) extending the time for completion of the bridge across the Delaware River, authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912, reported the same without amendment, accompanied by a report (No. 1217), which said bill and report were referred to the House Calendar.

Mr. LAZARO, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 305) to establish a fish-cultural station in the county of Lincoln, in the State of Tennessee, reported the same with amendment, accompanied by a report (No. 1218), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CARTER of Oklahoma, from the Committee on Indian Affairs, to which was referred the joint resolution (H. J. Res. 306) authorizing the Secretary of the Interior to extend the time for payment of the deferred installments due on the purchase of tracts of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw Tribes in Oklahoma, reported the same without amendment, accompanied by a report (No. 1219), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. THILMAN, from the Committee on Indian Affairs, to which was referred the bill (S. 6864) providing for the continuance of the Osage Indian School, Oklahoma, for a period of 10 years from January 1, 1917, reported the same with amendment, accompanied by a report (No. 1220), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DOREMUS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 18086) for the construction of Coast Guard cutters, reported the same with amendment, accompanied by a report (No. 1221), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HARRISON of Mississippi: A bill (H. R. 18978) authorizing the Secretary of War to donate to the Gulf Coast Military Academy, Gulfport, Miss., two bronze cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 18979) authorizing the Secretary of War to donate to the Mississippi Woman's College at Hattiesburg, Miss., two bronze cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. DILLON: A bill (H. R. 18980) to govern procedure where one State seeks to maintain an original action against another State in the Supreme Court of the United States in certain cases; to the Committee on the Judiciary.

By Mr. SHOUSE: A bill (H. R. 18981) to authorize the issuance of patents upon certain homestead entries in the State

of Kansas, and for other purposes; to the Committee on the Public Lands.

By Mr. TIMBERLAKE: A bill (H. R. 18982) authorizing the Secretary of War, in his discretion, to deliver to the city of Longmont, Colo., two condemned bronze or brass cannon or fieldpieces, with their carriages and a suitable outfit of cannon balls; to the Committee on Military Affairs.

By Mr. TAGGART: A bill (H. R. 18983) to provide for an additional judge of the district court of the United States for the district of Kansas; to the Committee on the Judiciary.

By Mr. MEEKER: A bill (H. R. 18984) for the protection and perpetuation of the national resources of migratory birds which pass between the United States and Canada twice each year; to the Committee on Agriculture.

By Mr. OVERMYER: A bill (H. R. 18985) making appropriation for payment of balances due by readjustment of salaries of postmasters under existing law; to the Committee on Claims.

By Mr. RANDALL: A bill (H. R. 18986) to exclude alcoholic liquor advertising from the United States mails; to the Committee on the Post Office and Post Roads.

By Mr. CAMPBELL: A bill (H. R. 18987) to prevent unfair discrimination in the sale of print paper by persons engaged in commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. FOSS: A bill (H. R. 18988) to amend an act entitled "An act for erecting a suitable memorial to John Ericsson," approved August 31, 1916; to the Committee on the Library.

By Mr. AUSTIN: A bill (H. R. 18989) making an appropriation for the erection of a statue to Robert Love Taylor; to the Committee on the Library.

By Mr. RAKER: A bill (H. R. 18990) to amend an act entitled "An act to provide capital for agricultural development; to create standard forms of investment based upon farm mortgage; to equalize rates of interest upon farm loans; to furnish a market for United States bonds; to create Government depositaries and financial agents for the United States; and for other purposes," approved July 17, 1916 (sess. 1, chap. 245, p. 360, 64th Cong.); to the Committee on Banking and Currency.

By Mr. GRIEST: A bill (H. R. 18991) providing an appropriation of \$200,000 for the intensive study of infantile paralysis; to the Committee on Appropriations.

By Mr. SMALL: A bill (H. R. 18992) to provide adequate subsistence for the warrant officers and enlisted men of the Coast Guard; to the Committee on Interstate and Foreign Commerce.

By Mr. COOPER of Wisconsin: A bill (H. R. 18993) to provide for the erection of an addition to the Federal building in the city of Janesville, county of Rock and State of Wisconsin; to the Committee on Public Buildings and Grounds.

By Mr. CLARK of Florida: A bill (H. R. 18994) to increase the limit of cost of certain public buildings; to authorize the enlargement, extension, remodeling, or improvement of certain public buildings; to authorize the erection and completion of certain public buildings; to authorize the purchase of sites for certain public buildings; to abolish the Office of Supervising Architect of the Treasury and to create and organize in the Treasury Department a Bureau of Public Buildings and define its duties, powers, and jurisdiction; to create and establish the Office of Commissioner of Public Buildings; to fix the salary and prescribe the duties and powers of the said Commissioner of Public Buildings; to create a Board of Estimates and prescribe its duties and powers; to provide for the standardization of certain classes of public buildings, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. OLNEY: A bill (H. R. 18995) to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

By Mr. GRAY of Indiana: A bill (H. R. 18996) to increase the limit of cost of the United States post-office building at Shelbyville, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. MONDELL: A bill (H. R. 18997) for beginning of construction of an irrigation system for the irrigation of the ceded and allotted Indian lands of the Shoshone or Wind River Reservation, Wyo.; to the Committee on Irrigation of Arid Lands.

By Mr. LLOYD: A bill (H. R. 18998) for the retirement of public-school teachers in the District of Columbia; to the Committee on the District of Columbia.

By Mr. KEATING: A bill (H. R. 18999) to provide for the retirement of superannuated employees in the classified civil service of the United States of America; to the Committee on Reform in the Civil Service.

By Mr. MILLER of Delaware: A bill (H. R. 19000) authorizing the Delaware Railroad Co. to construct, maintain, and operate a bridge across the Nanticoke River at Seaford, Sussex

County, Del.; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Resolution (H. Res. 407) for consideration of House joint resolution No. 1; to the Committee on Rules.

By Mr. AUSTIN: Joint resolution (H. J. Res. 321) authorizing the Secretary of War to award the congressional medal of honor to certain members of the National Guard; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 19001) granting a pension to Maria L. Keener; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 19002) granting a pension to Cranford Byers; to the Committee on Invalid Pensions.

By Mr. BAILEY: A bill (H. R. 19003) granting an increase of pension to James Irvine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19004) granting a pension to William I. Fultz; to the Committee on Invalid Pensions.

By Mr. CASEY: A bill (H. R. 19005) granting a pension to Delila J. Fiest; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19006) granting an increase of pension to Samuel Cooper; to the Committee on Invalid Pensions.

By Mr. CHANDLER of New York: A bill (H. R. 19007) granting an increase of pension to Enos Snodgrass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19008) granting an increase of pension to Silas M. Starkey; to the Committee on Invalid Pensions.

By Mr. COOPER of Ohio: A bill (H. R. 19009) granting a pension to Esther M. James; to the Committee on Invalid Pensions.

By Mr. DILL: A bill (H. R. 19010) granting an increase of pension to Mrs. Anna M. Coder, wife of the late Curtis L. Coder; to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 19011) granting an increase of pension to Frances A. Weddel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19012) granting an increase of pension to Nathan C. Rucker; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 19013) granting an increase of pension to Caroline J. McBratney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19014) granting an increase of pension to Elizabeth Ross; to the Committee on Invalid Pensions.

By Mr. FARLEY: A bill (H. R. 19015) granting an increase of pension to Caroline G. Sickels; to the Committee on Pensions.

By Mr. FESS: A bill (H. R. 19016) granting an increase of pension to Frank M. Gibson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19017) granting a pension to Lily D. Murphy; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 19018) granting a pension to Lona M. Parrish; to the Committee on Invalid Pensions.

By Mr. GARD: A bill (H. R. 19019) granting an increase of pension to Michael Greeley; to the Committee on Invalid Pensions.

By Mr. GOODWIN of Arkansas: A bill (H. R. 19020) granting a pension to Mart Bradshaw; to the Committee on Pensions.

By Mr. GRAY of Indiana: A bill (H. R. 19021) granting an increase of pension to Lizzie Antrim; to the Committee on Invalid Pensions.

By Mr. GRAY of New Jersey: A bill (H. R. 19022) granting an increase of pension to Andrew Terhune; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 19023) granting an increase of pension to Luther Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19024) granting a pension to M. F. Allyn; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 19025) for the relief of the estate of Andrew Rader, deceased; to the Committee on Claims.

By Mr. HELVERING: A bill (H. R. 19026) granting an increase of pension to John W. Klumph; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19027) granting an increase of pension to Daniel Dietrick; to the Committee on Invalid Pensions.

By Mr. HILLIARD: A bill (H. R. 19028) for the relief of Nathan L. Seamon; to the Committee on the Public Lands.

By Mr. JOHNSON of Washington: A bill (H. R. 19029) granting a pension to Peter Thomassen; to the Committee on Pensions.

Also, a bill (H. R. 19030) for the relief of Thomas Harlan; to the Committee on Military Affairs.

Also, a bill (H. R. 19031) for the relief of Jorgen Well, alias George Wilson; to the Committee on Military Affairs.

Also, a bill (H. R. 19032) authorizing the President to appoint Myron C. Cramer a first lieutenant in the Regular Army; to the Committee on Military Affairs.

By Mr. KEARNS: A bill (H. R. 19033) granting an increase of pension to Cread Milstead; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 19034) granting a pension to Edward Dooley; to the Committee on Pensions.

By Mr. LINTHICUM: A bill (H. R. 19035) granting a pension to Charles V. Grogan; to the Committee on Pensions.

Also, a bill (H. R. 19036) granting a pension to Theodosia E. Ramsay; to the Committee on Invalid Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 19037) granting a pension to John H. Caldwell; to the Committee on Pensions.

By Mr. LOFT: A bill (H. R. 19038) granting an increase of pension to Henry C. Shepherd; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 19039) granting an increase of pension to Henry B. Hall; to the Committee on Invalid Pensions.

By Mr. OVERMYER: A bill (H. R. 19040) granting an increase of pension to Alexander Tittle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19041) granting an increase of pension to George R. Cozzens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19042) granting a pension to Effie A. Reynolds; to the Committee on Invalid Pensions.

By Mr. PLATT: A bill (H. R. 19043) for the relief of the estate of Miles Hughes; to the Committee on Claims.

By Mr. POWERS: A bill (H. R. 19044) granting an increase of pension to Green Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19045) granting a pension to Elijah Lundy; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 19046) granting an increase of pension to Lloyd Criswell; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 19047) granting an increase of pension to George F. Hood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19048) granting a pension to Nicholi L. Nelson; to the Committee on Pensions.

By Mr. SMALL: A bill (H. R. 19049) granting a pension to Horatio W. Heath; to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 19050) granting an increase of pension to William D. Hall, alias Hill; to the Committee on Invalid Pensions.

By Mr. STEELE of Iowa: A bill (H. R. 19051) granting an increase of pension to Mrs. Augusta Rush; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19052) granting a pension to Hugh D. McDougall; to the Committee on Pensions.

By Mr. TEMPLE: A bill (H. R. 19053) for the relief of Patrick H. McGee; to the Committee on Military Affairs.

By Mr. TIMBERLAKE: A bill (H. R. 19054) to waive the age limit and the disqualifications of being married in the appointment of Charles P. Norman as a second lieutenant in the United States Army; to the Committee on Military Affairs.

By Mr. WOOD of Indiana: A bill (H. R. 19055) granting an increase of pension to Richard Kolb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19056) granting an increase of pension to John Q. Alter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19057) granting an increase of pension to John Ham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19058) granting an increase of pension to Albert J. Allison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19059) granting an increase of pension to John Carroll; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19060) granting an increase of pension to Theodore C. Sargent; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19061) granting an increase of pension to George M. Foresman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19062) granting a pension to Eva Griggs, widow of Charles Griggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19063) granting an increase of pension to Lawson Ellsworth; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of employees of the Coast and Geodetic Survey, requesting an increase in salaries in the classified service; to the Committee on Appropriations.

Also (by request), petition of employees of the Department of Commerce, requesting increases in salaries; to the Committee on Appropriations.

By Mr. BROWNING: Two petitions of employees of the Gloucester city post office and employees of post office at Camden, N. J., asking for increase in compensation; to the Committee on the Post Office and Post Roads.

By Mr. BRUCKNER: Petition of Theodore Gilbert, of Hartford, Conn., favoring increased pension for maimed soldiers; to the Committee on Pensions.

Also, petition of T. S. Barlow, of New York, favoring conservation of oil lands for use of our Navy; to the Committee on the Public Lands.

Also, petition of William T. Hornaday, of New York, favoring the passage of Senate bill 6881 and House bill 17381; to the Committee on Agriculture.

Also, memorial of executive committee of the National Housewives' League, indorsing the Stephens-Ashurst bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Samuel Cohen, of New York, favoring increased compensation for postal employees; to the Committee on the Post Office and Post Roads.

By Mr. CARY: Petition of Hunnel & Downing Co., of Milwaukee, Wis., urging the passage of 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

By Mr. COOPER of Ohio: Petition of churches of Hubbard, Ohio, proposing a constitutional amendment prohibiting polygamy in the United States; to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: Petition of post-office employees at Beloit, Kenosha, and Burlington, all in the State of Wisconsin, asking for such increase in salaries as will enable them to meet the present high cost of living; to the Committee on the Post Office and Post Roads.

By Mr. DAVENPORT: Petition of carriers and rural-route employees of the post office at Tulsa and Pawhuska, Okla., for increased compensation; to the Committee on the Post Office and Post Roads.

By Mr. DAVIS of Minnesota: Petition of clerks and letter carriers of the Faribault post office, Faribault, Minn., requesting an increase of compensation based on the present high cost of living; to the Committee on Appropriations.

By Mr. DALE, of New York: Petition of the Roessler & Harslacher Chemical Co., of New York, favoring 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of the Thread Agency, in re exchange charges on country checks; to the Committee on Banking and Currency.

By Mr. DOOLITTLE: Petition of 30 postal employees of Emporia, Kans., asking that Congress increase the salaries of the postal employees; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of U. B. H. & F. M. Society of Sycamore, Ill., for national prohibition; to the Committee on the Judiciary.

Also, petition of post-office employees of Belvidere, Ill., for increased pay; to the Committee on the Post Office and Post Roads.

Also, petition of J. B. Forgan, president Commercial Club of Chicago, for an appropriation for a West Side post-office site; to the Committee on Public Buildings and Grounds.

Also, petition of H. M. Spaulding, general secretary, Y. M. C. A., of Alton, Ill., for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. GOODWIN of Arkansas: Petition of sundry postal employees asking for increased compensation; to the Committee on the Post Office and Post Roads.

By Mr. GUERNSEY: Petitions of post-office employees of Old Town, Houlton, and Bangor, all in the State of Maine, asking for an increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. HAMILTON of Michigan: Petition of post-office employees of Sturgis, Mich., in behalf of increased pay; to the Committee on the Post Office and Post Roads.

Also petitions of post-office employees of St. Joseph, Hastings, and Three Oaks, all in the State of Michigan, in behalf of increased pay; to the Committee on the Post Office and Post Roads.

By Mr. HASTINGS: Petition of postal employees of Muskogee, Okla., for increased compensation; to the Committee on the Post Office and Post Roads.

By Mr. HEATON: Petition of postal employees of Pottsville, Pa., asking for increase of salaries; to the Committee on the Post Office and Post Roads.

By Mr. HOOD: Petition of sundry citizens in favor of extending the benefits of the eight-hour day to the track men employed by railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. JAMES: Petition of sundry postal employees, asking for increased compensation; to the Committee on the Post Office and Post Roads.

By Mr. KEARNS: Petition of sundry employees of the Postal Service, favoring increased compensation; to the Committee on the Post Office and Post Roads.

Also, petition of Dayton (Ohio) postal employees, asking for increased compensation; to the Committee on the Post Office and Post Roads.

By Mr. LINDBERGH: Two petitions of employees of the Postal Service, asking increase in salaries; to the Committee on the Post Office and Post Roads.

By Mr. MEEKER: Petitions of Stix, Baer & Fuller Dry Goods Co., Feldmann Fine Art Co., Multiplex Display Fixture Co., Sam D. Capen Insurance Co., Meyer Bros. Coffee & Spice Co., Hesse Envelope & Lithographing Co., St. Louis Coal Co., Ames Shovel & Tool Co., the Scudders-Gale Grocery Co., Medart Patent Pulley Co., Roos-Gould List & Letter Co., Murphy Door Bed Co., all of St. Louis, Mo., in favor of 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. NELSON: Petition of employees of the post office at Monroe, Wis., for increased wages; to the Committee on the Post Office and Post Roads.

By Mr. OAKLEY: Petition of Local Branch, U. N. A. P. O. C., of Hartford, Conn., asking for legislation increasing the pay of post-office clerks; to the Committee on the Post Office and Post Roads.

By Mr. OLNEY: Petition of postal employees of Rockland, Mass., for salary increase; to the Committee on the Post Office and Post Roads.

By Mr. PAIGE of Massachusetts: Petitions of Roy A. Plympton and 20 other employees of the South Bridge (Mass.) post office; Charles U. Buner and 11 other letter carriers of Leominster, Mass.; and E. T. Gray and 9 other post-office employees of Webster, Mass., for increase in pay; to the Committee on the Post Office and Post Roads.

Also, papers to accompany House bill 18865, for relief of Fannie R. Gardner; to the Committee on Invalid Pensions.

By Mr. PLATT: Petitions of clerks and carriers of the post office at Middletown, N. Y., and at post office at Port Jervis, N. Y., for increased compensation; to the Committee on the Post Office and Post Roads.

Also, petition of clerks and carriers of Newburgh post office, for increase in salary; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Michigan: Petitions of Lauren Lemon and 18 other citizens, of Charlotte, and 20 citizens of Marshall, favoring increase in pay to letter carriers; to the Committee on the Post Office and Post Roads.

Also, petitions of William Fisher and 3 citizens, of Reading, and 11 citizens of Camden, favoring the Sheppard-Gallinger prohibition resolutions, Senate joint resolution 55 and Senate joint resolution 64; to the Committee on the Judiciary.

By Mr. SNYDER: Petitions of postal employees at Utica and Herkimer, N. Y., for increased compensation; to the Committee on the Post Office and Post Roads.

By Mr. STINESS: Petition of Capt. B. S. Hall, commandant Rhode Island Soldiers' Home, favoring the Volunteer officers' bill; to the Committee on Military Affairs.

By Mr. TAVENNER: Letter of Mrs. Rose Maas, chairman pro tempore of the legislative committee, Woman's Club of Moline, Ill., and resolution adopted by said club favoring an embargo on foodstuffs, etc.; to the Committee on Interstate and Foreign Commerce.

By Mr. TEMPLE: Petition of Ministerial Association of Woodlawn, Pa., signed by Rev. A. B. Dickerson and Leroy Hall, of Woodlawn, Pa., supporting proposed antipolygamy amendment to the Constitution; to the Committee on the Judiciary.

Also, petition of 24 mail clerks and carriers of Beaver Falls, Pa., favoring increase in the pay of employees in the Postal Service; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Lock No. 4, Charleroi and other places in Pennsylvania, in support of the Nolan bill; to the Committee on Labor.

Also, petition of First Baptist Church of New Brighton, Pa., favoring adoption of an antipolygamy amendment to the Federal Constitution; to the Committee on the Judiciary.

By Mr. TILLMAN: Petition of sundry citizens of Arkansas, indorsing House joint resolution 264; to the Committee on the Judiciary.

By Mr. TIMBERLAKE: Memorial of Colorado State legislative board, of the Brotherhood of Railroad Trainmen, protesting against the law generally known as the "compulsory arbitration act"; to the Committee on Interstate and Foreign Commerce.

By Mr. WOODYARD: Petition of the Gleaners, 84 people; Keisters Bible Class, of 35 people, of the Central Christian Church; Wallers Bible Class, of 45 people, of Central Christian Church; B. Y. P. U., of 100 people, of Fifth Baptist Church; Mission Circle, 30 people; Ladies' Aid Society of Presbyterian Church, all of Huntington, W. Va., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Bible Class of Central Christian Church, of 100 people, and the Young People's Society of Christian Endeavor, all of Huntington, W. Va., favoring national prohibition; to the Committee on the Judiciary.

SENATE.

SATURDAY, December 16, 1916.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we lift our hearts, we trust reverently, to Thee, seeking Thy guidance anew for this day's labor. We have come into the presence of great issues that call upon us to consecrate every power to the development of the Nation in purity, in peace, in righteousness; and we seek the Divine guidance to help us in the discharge of our duties. Save us from the conceit of ignorance, from the pride of opinion. Give to us such willing hearts and devoted purpose that we may be guided by the great God, the God of our fathers, in the discharge of our duties, so that the outcome of this day's labor may redound to the honor and glory of Thy name and the good of all the people whom we serve. For Christ's sake. Amen.

THE JOURNAL.

The VICE PRESIDENT. The Secretary will read the Journal of the proceedings of the preceding session.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Martin, Va.	Smith, Mich.
Bankhead	Hardwick	Martine, N. J.	Smith, S. C.
Beckham	Hollis	Nelson	Smoot
Borah	Husting	Norris	Sterling
Brady	James	Overman	Sutherland
Brandeggee	Johnson, Me.	Owen	Swanson
Bryan	Johnson, S. Dak.	Page	Thomas
Catron	Jones	Pittman	Townsend
Chamberlain	Kenyon	Poindexter	Underwood
Chilton	Kern	Pomerene	Vardaman
Colt	Kirby	Reed	Wadsworth
Curtis	La Follette	Saulsbury	Walsh
Dillingham	Lane	Sheppard	Watson
Fernald	Lee, Md.	Shields	Works
Fletcher	Lodge	Simmons	
Gallinger	McCumber	Smith, Ariz.	
Gore	McLean	Smith, Ga.	

Mr. THOMAS. I wish to announce the illness of my colleague [Mr. SHAFROTH]. Consequently he is unable to be present. I will let this announcement stand for the day.

Mr. MARTINE of New Jersey. I desire to announce that the Senator from Illinois [Mr. LEWIS] is detained at home through illness.

Mr. KIRBY. I desire to state that the Senator from Arkansas [Mr. ROBINSON] is absent on account of illness.

The VICE PRESIDENT. Sixty-five Senators have answered to the roll call. There is a quorum present. The Secretary will read the Journal of the proceedings of the preceding session.

The Journal of yesterday's proceedings was read and approved.

SHOSHONE AND WIND RIVER RESERVATIONS (H. DOC. NO. 1478).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, plans and estimates of character with cost of structures necessary for completing the irrigation of all irrigable lands of the Shoshone and Wind River Reservations, which was referred to the Committee on Indian Affairs and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 10384) to regulate the immigration of aliens to and the residence of aliens in the United States, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BURNETT, Mr. SABATH, and Mr. HAYES managers at the conference on the part of the House.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice President:

H. R. 8816. An act authorizing the Commissioner of Navigation to cause the sailing vessel *Golden Gate* to be registered as a vessel of the United States; and

H. J. Res. 282. Joint resolution authorizing the Postmaster General to provide the postmaster of Springfield, Ill., with a special canceling die for the one hundredth anniversary of the admission of the State of Illinois into the Federal Union.

SENATOR FROM WISCONSIN.

Mr. HUSTING. I present the credentials of my colleague, Hon. ROBERT M. LA FOLLETTE, elected United States Senator from the State of Wisconsin for the term of six years beginning March 4, 1917, which I ask may be received.

The VICE PRESIDENT. The credentials will be printed in the RECORD and placed on the files of the Senate.

The credentials are as follows:

UNITED STATES OF AMERICA,
STATE OF WISCONSIN,
DEPARTMENT OF STATE.

To all to whom these presents shall come, greeting:

I, John S. Donald, secretary of state of the State of Wisconsin, do hereby certify that Hon. ROBERT M. LA FOLLETTE was, on the Tuesday next succeeding the first Monday in November, A. D. 1916, duly elected United States Senator from the State of Wisconsin for the term of six years commencing on the 4th day of March, A. D. 1917, as appears from the official canvass of the votes given at a general election held in the State of Wisconsin on the day and year first above written, and that he was so elected in accordance with the laws of the State of Wisconsin.

In testimony whereof I have hereunto set my hand and affixed my official seal at the capitol, in the city of Madison, this 7th day of December, A. D. 1916.

[SEAL.]

JOHN S. DONALD,
Secretary of State.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the Business Men's League of St. Louis, Mo., praying for the enlargement of the powers of the Interstate Commerce Commission, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the Civic Association of Washington, D. C., remonstrating against the action of the excise board in granting licenses to liquor establishments on Capitol Hill, which was referred to the Committee on the District of Columbia.

He also presented a petition of the Retail Grocers' Protective Union of Pittsburgh, Pa., praying for the placing of an embargo on food products, which was referred to the Committee on Foreign Relations.

He also presented a petition of the National Consumers' League, in convention assembled at Springfield, Mass., praying for the establishment of an eight-hour workday for women, which was referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by the Municipal Board of Manila, Philippine Islands, on the death of Hon. James P. Clarke, late a United States Senator from the State of Arkansas, which were ordered to lie on the table.

He also presented a copy of the grand jury report, special November, 1916, term for the first division, District of Alaska, which was referred to the Committee on Territories.

Mr. GALLINGER presented a memorial of the Brotherhood of the Calvary Baptist Church, of Washington, D. C., remonstrating against a referendum on the question of prohibition in the District of Columbia, which was ordered to lie on the table.

Mr. OVERMAN presented petitions of sundry citizens of Elizabeth City and Dunn, in the State of North Carolina, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. KERN presented petitions of sundry citizens of Peru, Auburn, and Terre Haute, all in the State of Indiana, praying for prohibition in the District of Columbia, which were ordered to lie on the table.

Mr. LA FOLLETTE presented memorials of sundry citizens of Wisconsin, remonstrating against the enactment of legislation